

ZONING MEMBERS PRESENT:

Linus Kafka, Zoning Examiner
Glenn Moyer, Planning & Development Services
Delma Sanchez, City Recording Clerk

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1 ZONING EXAMINER: Let's resume, and let me officially
2 open the next case. Case No. C9-13-12 CODAC, Fort Lowell, R-2
3 to P. Mr. Moyer.

4 MR. MOYER: This is a request by Jeff Hunt of Cypress
5 Engineering on behalf of the property owner, Michael Goodman, to
6 rezone approximately 5.5 acres from R2 to P zoning. The rezoning
7 site is located on the north side of Fort Lowell Road
8 approximately 700 feet west of Navajo Road.

9 The Preliminary Development Plan proposes the
10 redevelopment of an incomplete housing project currently zoned
11 R-2 into a 67-space parking lot be rezoned to P to support the
12 conversion of the existing two-story office building immediately
13 adjacent to the east of the rezoning site which is currently
14 zoned O-3 to a medical out-patient building. Proposed parking
15 lot will have no direct access to Fort Lowell Road.

16 Plan policy direction is provided by the General Goals
17 and Policy section of the Northside Area Plan. Plan encourages a
18 mix of residential and non-residential land uses at appropriate
19 locations while protecting the integrity of existing
20 neighborhoods.

21 MALE SPEAKER: Excuse me. (Inaudible)

1 MR. MOYER: I'll try.

2 MALE SPEAKER: (Inaudible)

3 MR. MOYER: With my - I, I have an excuse ready for
4 that.

5 The Plan also supports and emphasizes protecting
6 neighborhoods from non-local traffic while providing for the
7 continued development of key citywide transportation corridors.

8 Conversion of residential land uses to non-residential
9 is supported when the site fronts on an arterial street and all
10 parking maneuvering can be met on the development site. The
11 change in land use is also supported by the Plan when the site
12 designs fosters and integrates with adjacent non-residential land
13 development.

14 Plan Tucson policies include the consist- -- or, excuse
15 me. The proposed development is consistent with the applicable
16 land use transportation, urban design policies of Plan Tucson,
17 and the supporting guidelines for devel- -- development review.

18 The site is within a neighborhood center corridor along
19 Fort Lowell Road which acknowledges small businesses surrounded
20 by housing and accessed internally and from nearby neighborhoods.

21 Plan Tucson guidelines encourage proposed commercial
22 expansion and the consolidation of parcels for office and
23 commercial use, subject to sensitivity and compatible with
24 surrounding land uses.

1 The request to rezone to P is driven by the desire to
2 relocate and expand a medical out-patient treatment center which
3 serves the Tucson community. The proposed project consists of
4 two parcels, one with the existing building, parking and
5 landscaping, and which does not meet current code requirements
6 for the proposed medical out-patient facility. And the other
7 with the incomplete student housing development, which is the
8 subject of the rezoning site.

9 Sensitivity to the adjacent residential neighborhood is
10 a high priority of the Northside Area Plan and Plan Tucson. The
11 creation of a mitigation plan is promoted when requesting a
12 change of zoning from residential to non-residential uses and
13 residential development.

14 The northern boundary of the rezoning site should
15 include a 25-foot landscape buffer area to provide a transition
16 between the new parking lot and the interior of the residential
17 neighborhood to the north.

18 Staff supports limiting hours of operation to between
19 7:00 A.M. and 8:00 P.M. during the week, and 7:00 A.M. to 6:00
20 P.M. during weekends, and that the Applicant prepare a
21 communication plan that includes direct neighborhood contact and
22 a contact person to work closely with surrounding neighborhoods
23 and have the ability to address issues and concerns raised by
24 area residents. Privacy of adjacent residential neighborhood can

1 be increased by restricting the parking area located to the north
2 of the existing building to employees only.

3 The current PDP does not include an outdoor lighting
4 plan or show any outdoor building lights or security lighting.
5 Staff recommends that an integrated lighting plan be included in
6 the PDP which limits spillover light and provides for even
7 lighting over the entire site.

8 The Preliminary Development Plan reflects that the
9 proposed parking area will be accessed from the existing office
10 site only, and that the existing driveway locations on Fort
11 Lowell Road will not be altered.

12 A bus stop is located approximately 50 feet west of the
13 easternmost driveway of the development site which will assist in
14 providing multi-mobile transportation for the medical out-patient
15 facility.

16 The developed portion of Fort Lowell frontage contains
17 a public sidewalk. Currently, the undeveloped portion of the
18 site contains no pedestrian facilities. However, the current
19 sidewalk does not appear to conform to the Americans With
20 Disabilities Act, and does not provide direct connectivity to the
21 developed or undeveloped portion of the site.

22 Staff recommends that the sidewalk be expanded onto the
23 developed - onto the undeveloped portion of the project, and that
24 the appropriate connections between the proposed development and

1 the public sidewalk system be provided. The approved Preliminary
2 Development Plan should also reflect striped pedestrian
3 crosswalks on any, on any crosswalks located between the
4 designated outdoor employee rest area or the designated smoking
5 areas.

6 The proposed rezoning is consistent with and supported
7 by the policy direction provided in Plan Tucson and the Northside
8 Area Plan, subject to compliance with the preliminary conditions,
9 approval of the requested rezoning is appropriate.

10 As of today, the Planning & Development Services
11 Department has received four approvals and two protests. Two of
12 the protests are by owner. One of the protests is within the
13 150-foot area, and it equates to a 30.2% protest by area to the
14 south. That's significant because if the protest level exceeds
15 20% in any one of the four compass directions around the site, or
16 on the site, if it exceeds 20%, it requires a super majority vote
17 of Mayor and Council to adopt a rezoning ordinance. That
18 concludes our report.

19 ZONING EXAMINER: Thank you, Mr. Moyer. Before we
20 begin, I just want to make sure that I have it in the record that
21 there was a letter received on the 14th that included additional
22 meeting summaries, and I think a draft Neighborhood Communication
23 Plan, I think. Yes. All right. That's entered into the record.
24 And Mr. Hunt.

1 MR. HUNT: Thank you, and good evening. My name is
2 Jeff Hunt with Cypress Civil Development and my address is 2102
3 North Country Club Road. I represent the current property owner
4 and future user of the site. I also want to thank Staff for
5 working with us throughout this process, and concur with the
6 statements in the Staff report. Also the rezoning conditions as
7 amended and submitted on January 10th. We agree with those as
8 well.

9 I'm gonna go ahead and introduce our team to begin
10 with, and then from there, I'm gonna let CODAC, the future user,
11 discuss a little bit about themselves. And then I'll come back
12 and discuss project specifics and also our interactions with the
13 neighbors.

14 So myself, Jeff Hunt, the Applicant with Cypress Civil
15 Development. The project developer, Gary Braugh (ph.) with BFL
16 Construction. The architect, Mr. Evan Eglund (ph.), with Eglund
17 Breslin Architects (ph.), and counsel for this group, Ms. Carrie
18 Sylvan, Lazarus, Sylvan and Bangs.

19 And then the owner representative and CEO, Mr. Dennis
20 Raney (ph.) and they're CODAC Behavioral Health Services. So
21 with that, I'd like to invite Christine Hall with CODAC to come
22 and discuss a little bit about themselves.

23 MS. HALL: Good evening. Can you hear me okay? Okay.
24 Thank you again for having us here today. Again, my name is

1 Christine Hall. I'm the Vice-President of Marketing and
2 Development at CODAC, and I want to tell you a little bit about
3 what we do.

4 CODAC is a 501 C-3 not for profit organization that
5 specializes in family and community development services, as well
6 as health care for people in recovery from mental health
7 conditions and substance use disorders.

8 We have been in Southern Arizona for 44 years and have
9 grown immensely during that time. Today we have 400 staff at ten
10 locations around Tucson, and we serve more than 12,000
11 individuals every year.

12 The majority of people who call or come to CODAC are
13 looking for help with general mental health concerns. These are
14 things like depression, anxiety, stress, relationship issues or
15 grieving or loss, things like that that many of us go through
16 situationally.

17 Some of the illnesses we provide care for are more
18 chronic. These are things like severe depression, bipolar
19 disorder, schizophrenia, alcohol and drug addiction or post
20 traumatic stress disorder, and other illnesses.

21 Just like other chronic health conditions like
22 diabetes, for example, these illnesses have a physiological and
23 behavioral component, many of them do. So people with these
24 illnesses benefit greatly and become - and can become more

1 healthy if they come when they come to CODAC for more regular
2 doctors' appointments, when they take and monitor the efficacy of
3 their medications, when they participate in therapy and support
4 groups, when they watch what they eat, when they exercise, much
5 like any other chronic conditions.

6 CODAC provides all of these services to help people
7 with general or chronic behavioral health conditions so that
8 they can live healthy and independent lives.

9 All of our care is based on the specific needs of the
10 individual. So some people might need care from a residential
11 treatment facility or an intensive out-patient program. The
12 majority, though, simply need to come to one of our out-patient
13 centers like what we're talking about to you today. There, they
14 can be treated by a medical professional and receive therapy,
15 case management, wellness support and actually also support from
16 peers.

17 At CODAC's Alvernon location, which we are mirroring
18 the proposed site against, we also offer primary care medicine to
19 our clients with on-site exam rooms for primary care providers to
20 monitor our clients' physical health as well as their mental
21 health.

22 CODAC was actually one of the first 13 organizations
23 nationwide to receive funding from the federal government to
24 provide this type of care which we refer to as integrated care.

1 Four years later, we've worked out many of the kinks and are now
2 expanding it to our other locations, including the plans for
3 Cobblestone Court, to improve the whole health of our clients
4 with coordinated primary care, behavior health care, wellness and
5 pharmacy all in one convenient location, this comprehensive model
6 makes it convenient for our clients to come to their appointments
7 for a physical or mental health need and fill any prescriptions
8 prescribed at that time before they leave.

9 This is all part of CODAC 2.0 as our CEO, Dennis, calls
10 it, the next phase for CODAC. It's a CODAC that is warm and
11 friendly, safe and comfortable for anyone to receive care
12 regardless of the illness that they may have, or their income
13 level.

14 It's a CODAC that is convenient and keeps the whole
15 health of our clients at the forefront of everything that we do.
16 CODAC's 2.0 facilities are easily accessible. The design is
17 efficient and the decor and environment is reflective of the
18 dignity we believe all individuals deserve.

19 Just like other segments of health care, prevention is
20 also very important to what we do, so we work with schools,
21 neighborhood associations, youth, families, to offer workshops to
22 help prevent risky behaviors and mental illness and violence down
23 the line for them.

24 Finally, community involvement is very important to

1 CODAC. While one in four people have a mental health condition
2 in a given year, most people don't know much about mental illness
3 still. Stigma prevails. Symptoms that we hear about in the
4 media can be scary.

5 Getting out into the community is how we spread the
6 word about the important services available to those with mental
7 illness and addiction disorders. It's how we reduce stigma
8 around mental health. It's how we give back to the neighborhoods
9 who support us.

10 We participate in numerous community events each month
11 and sponsor many others. In addition to the significant
12 communications initiatives that we've had just as part of this
13 rezoning project, we've also participated in neighborhood
14 cleanups with both the adjacent - the neighborhoods adjacent to
15 this property in the fall.

16 That's really just a taste of everything that we do at
17 CODAC, but I hope it gives you an idea of the positive impact we
18 are able to make in our community. Thank you very much.

19 ZONING EXAMINER: Thank you.

20 MR. HUNT: Thank you, Christine. So now I want to move
21 into more the project specifics that have to do with the rezoning
22 case.

23 As sort of a visual repeat of some of the things that
24 go on as mentioned, we're requesting a rezone and that's at the

1 1005 East Fort Lowell address, and the rezone is going to be from
2 what is currently R-2, and we're requesting a rezone to P for
3 parking. And that was gonna be the least intense zone required
4 to accommodate the additional parking that we need for the
5 medical office at the existing Cobblestone Court building
6 location.

7 This is just a blowup of also what is in your packet
8 just to give you an idea of where the project's located. I'm
9 sure this is information that's not new. I also want to provide
10 visual of what the difference is between the two.

11 So the existing rezone facility is to the west of the
12 existing Cobblestone Court location. Highlighted in blue would
13 be the existing Cobblestone Court location building. And you can
14 see where the parking is gonna be accommodated to the west.

15 This is a early rendering we did of the project. Just
16 give you kind of an idea of what we're planning on doing. You
17 can see the west parking facility for the medical office use,
18 also the elimination of the current access that's been
19 constructed for that parcel that's being requested to be rezoned.
20 We'll be eliminating that altogether, and reconstructing sidewalk
21 through that area. And it will be widened and made more
22 accommodating for pedestrians.

23 We also are gonna have a perimeter site wall. There is
24 one there existing. Portions of that site wall will be removed

1 and we will be reinstalling a site wall around that west parking
2 area. And that's more to limit any sort of ingress/egress to the
3 east, west or north. We want all of our members to be entering
4 the facility from the south, from the Fort Lowell Road, the major
5 arterial, whether by vehicle or that may be pedestrian traffic.

6 It's difficult to see, but there at the southeast
7 corner of the graphic, you can see an existing bus stop. And so
8 that would be for westbound traffic. People that are coming by
9 bus will be able to get off the bus there and quickly enter the
10 facility through that additional pedestrian route that's been
11 added, as you can see in the graphic.

12 Also within the building, as mentioned by Christine,
13 there is going to be a pharmacy as a part of integrated care.
14 That'll be a non-retail pharmacy no different than - but we'll
15 carry some of the similar medications that would be there for
16 your CVS or Walgreens pharmacy, but more for - well, restricted
17 to use by those members that are coming there for, for care. And
18 I'll touch on it more at the end of this presentation, but
19 methadone is not something that's gonna be supplied or, or given
20 out at this facility.

21 Here's just a quick rendering for you to kind of see
22 what the project may look like in the future. It's shot from
23 Fort Lowell, obviously, a rendering showing the future site with
24 the parking on the west and the existing abandoned facility

1 having been removed from this image.

2 So we had a series of neighborhood meetings. As you're
3 well aware, there's one required neighborhood meeting as a part
4 of this process, and we had that meeting on October 3rd, 2013.
5 Prior to that meeting we had - it was actually the seventh of a
6 series of meetings is when we finally made it to that required
7 meeting.

8 Our initial meeting on September 4th, 2013, was an
9 eyeopener for CODAC, and we heard a lot of neighborhood concerns
10 at that meeting that prompted us to, to understand that we were
11 gonna have to have multiple meetings with the neighbors to both
12 educate about what CODAC does and discuss the new facility and
13 how we're going to be operating it.

14 Additionally, after the October 3rd meeting, we had two
15 more additional meetings to discuss items that came up through
16 October, those being the Neighborhood Communications Plan and how
17 we would implement that.

18 So some of the highlighted neighborhood concerns that
19 came out of the neighborhood meetings. On-site security and
20 surveillance, graffiti, limiting vehicular access from Fort
21 Lowell, which I've already touched on a little bit.

22 Neighborhood disruptions from pedestrian traffics,
23 traffics - traffic in the neighborhood. Our operating hours,
24 increased quantity of CODAC signs in the neighborhood, and

1 methadone clinic use at the new facility.

2 So I'm gonna go ahead and go through each one of these
3 individually, just really briefly, so you know how we planned on
4 mitigating those concerns. The first one would be on-site
5 security and surveillance. CODAC has already, at their existing
6 facilities, increased the number of visits by their contracted
7 security personnel during off hours.

8 And how that works is just random visits throughout the
9 night, and we increased the number of visits throughout the night
10 based on the September 4th meeting and what neighbors explained
11 were some concerns in that neighborhood currently.

12 So instead of waiting until the new project at
13 Cobblestone Court, we went ahead and made that decision to change
14 that already existing condition. So that's something that will
15 continue on to the new location. In addition -

16 ZONING EXAMINER: Do you mind if I ask you questions -

17 MR. HUNT: No. (Inaudible)

18 ZONING EXAMINER: - while you're talking about
19 (inaudible) or do you want me to wait?

20 MR. HUNT: Please ask questions at your leisure.

21 ZONING EXAMINER: What, what number of visits did you
22 increase it to?

23 MR. HUNT: I believe currently it was - and correct me
24 if I'm wrong, Mr. Raney. It was four originally, and we

1 increased it to six. Those are the - only the off, off peak.
2 There are visits throughout the day, but those are the off peak
3 (inaudible) the major concern by the neighbors because without
4 anyone there during the operation hours, you know, they wanted
5 more people there.

6 ZONING EXAMINER: Okay.

7 MR. HUNT: In addition to that, we had agreed to
8 install four security cameras at the new facility. And so you
9 have a graphic here that kind of give you an indication of where
10 those will be placed, at the corners of the building so that they
11 can get optimum view for our parking lot.

12 The next neighbor concern, graffiti. I think this is a
13 recurring theme throughout Tucson and inner cities, so how to
14 combat graffiti, it's a complicated issue. One of the things we
15 committed to was obviously graffiti resistant paint on the new
16 site walls. And also an upgrade of the existing walls to insure
17 that those are graffiti resistant. It's obviously just the first
18 step.

19 One additional thing that we've done already is hired a
20 new maintenance company. So basically on-site maintenance
21 company that is, in our opinion, better at responding to issues
22 like graffiti or vandalism at the site. And as I mentioned,
23 that's already happening today and was another one of those
24 things that came out of the original September 4th meeting.

1 CODAC prompted to do that.

2 ZONING EXAMINER: Is that a company that you have in
3 service at other sites?

4 MR. HUNT: It is. It was across the board decision for
5 CODAC to change to that, that new company.

6 ZONING EXAMINER: And before Mr. Raney comes up to
7 testify, maybe nod for me, is it - have you had that in place for
8 a little while, that new company?

9 MR. HUNT: That was, I believe, as of October. It was
10 a decision made in September.

11 ZONING EXAMINER: Okay.

12 MR. HUNT: And so it took time to find a company that
13 we thought would be best. And that company was hired in October.
14 It had to do with their reputation and, and their responsiveness.
15 And they've already been a big improvement over what was there
16 before.

17 ZONING EXAMINER: And there's been some track record
18 now with other sites (inaudible)

19 MR. HUNT: Correct.

20 ZONING EXAMINER: We'll, we'll get -

21 MR. HUNT: Yeah.

22 ZONING EXAMINER: Thank you.

23 MR. HUNT: No problem. Here's a site map just showing
24 where the new wall will be. You can kind of get an idea. We've

1 got the existing wall on the north and east. Where it is along
2 the west of the Cobblestone Court building will be removed, and
3 we'll be replacing it as I've already mentioned. This gives you
4 a graphic to understand what that means.

5 The next mitigation effort is limiting traffic from
6 Fort Lowell. So as previously mentioned, we'll be eliminating
7 the access point. As you can see in this graphic, that is to the
8 rezone parcel, and we're replacing that with sidewalk.

9 Also we're gonna maintain the two existing access
10 points from Fort Lowell to the Cobblestone Court building. And
11 that will be the only access we have into the future.

12 Neighborhood disruptions from pedestrian traffic. We
13 want to promote access from Fort Lowell. That's really
14 paramount, make sure that vehicular and pedestrian traffic is
15 from Fort Lowell. One of the things we've tried to do to
16 eliminate ingress/egress into the neighborhood directly, which is
17 a problem at the existing facility, is to have no pedestrian
18 access points within our perimeter wall.

19 So the wall will be one continuous piece that will not
20 allow for any ingress or egress, and it will be a minimum of six
21 feet tall, as measured from the property side of the wall.

22 Another mitigation effort was to state our operating
23 hours. There was some question as to what those would be, and it
24 became apparent that we would need to, as a part of this process,

1 state what our operating hours would be. As you can see
2 reflected in this slide, I'm reflecting the revised rezoning
3 conditions that show operating hours from 7:00 to 9:00 P.M.
4 Monday through Friday, and 7:00 to 5:00 P.M. Saturday and Sunday.

5 Also in regards to the increased quantity of signs in
6 the neighborhood, we're essentially going to be removing the
7 existing facility south of Fort Lowell and along First Avenue
8 after we relocate.

9 And the idea would be upon closure of that facility,
10 we'd be taking that sign down. At the new facility, we have a
11 sign, so there'd be no additional signs added to the neighborhood
12 as a result of this project. Did you have a question?

13 ZONING EXAMINER: I was just trying to visual that.
14 I get it now.

15 MR. HUNT: Understood. The last thing was methadone
16 clinic use. This is very, very important to the neighbors, and
17 it was something that CODAC understood as important, and
18 something they took very seriously.

19 The existing methadone clinic that is at First Avenue
20 will not now, nor in the future, be relocated to the new
21 Cobblestone Court facility. The idea in the long range plan for
22 CODAC is to actually move that methadone clinic facility
23 completely out of this area altogether. CODAC understands that
24 this is a destination facility, these types of clinics, and we

1 are able to get our patients to those facilities, regardless of
2 location.

3 So as a result of the neighborhood meetings and the, I
4 guess the perception of methadone and the, and the way the
5 operation takes place, we agreed we would not be moving that to
6 the new facility.

7 ZONING EXAMINER: But that's, that's memorialized in
8 the communication plan.

9 MR. HUNT: Correct.

10 ZONING EXAMINER: But not specifically in the
11 condition.

12 MR. HUNT: So the statement has been memorialized in
13 the Neighborhood Communication Plan. But CODAC is certainly okay
14 with adding that as a rezoning condition, should that be the
15 desire or intent of the - of yourself, Mr. Zoning Examiner.

16 So at this time, I'll open it up for questions, or we
17 can allow the public hearing if you like, and I can answer
18 questions after that.

19 ZONING EXAMINER: I, I had some questions and I'm
20 always, I'm always in a internal debate as to whether I'll lose
21 track of my own questions as new questions arise from public
22 discussion.

23 MR. HUNT: Okay.

24 ZONING EXAMINER: Or whether I should start out with my

1 own questions and leave it at that. So I'm gonna ask some
2 questions right now that may have been brought up by your
3 discussion.

4 MR. HUNT: Sure.

5 ZONING EXAMINER: And then we'll move on with the
6 public hearing, and maybe I'll resume with more questions.

7 The, the operating hours, 7:00 to 9:00 on Monday
8 through Friday. Will there be anticipated group counseling all
9 the way through those hours?

10 MR. HUNT: As part of the new construction at the
11 Cobblestone Court facility, there are gonna be group meeting
12 rooms. And the idea is that either by CODAC itself, they may
13 host it, or we would invite neighborhood, neighborhoods to have
14 their neighborhood meetings within the facility. So, yes, to
15 answer your question, we intend on potentially using that
16 facility 'til 9 o'clock.

17 ZONING EXAMINER: 'Til 9 o'clock. So group sessions
18 could be coming out at 9 o'clock from the facility.

19 MR. HUNT: Correct.

20 ZONING EXAMINER: Okay.

21 MR. HUNT: Yes.

22 ZONING EXAMINER: In terms of the access and
23 transportation, I assume that some folks are coming in Sunvan.

24 MR. HUNT: Correct.

1 ZONING EXAMINER: And does that come to the stop, or
2 does that come onto the property and drop people off in front?

3 MR. HUNT: So patients brought to the facility by
4 shuttle would be dropped either at the front door or at the
5 facility. I don't believe we'd be using the bus stop facility.

6 ZONING EXAMINER: This might be a tough one. Do you
7 know what the traffic generation numbers were for Cobblestone
8 Court as a, an office in its original iteration and the traffic
9 generation numbers for the - what they anticipate the traffic
10 generation numbers would have been for the residential structure?

11 MR. HUNT: So a traffic impact statement -

12 ZONING EXAMINER: Yeah.

13 MR. HUNT: - or traffic impact analysis is?

14 ZONING EXAMINER: But not, not for you but -

15 MR. HUNT: Sure.

16 ZONING EXAMINER: - the, the buyers.

17 MR. HUNT: Understood. So that's something that we
18 could have analyzed as a part of the traffic impact statement or
19 traffic impact analysis. As you may or may not be aware, that's
20 not something that's required for this type of project, even
21 through the development plan process. So that information would
22 not have been generated at this time.

23 ZONING EXAMINER: All right. The reason I ask is I
24 just wanted to get an impression of whether there's a significant

1 difference between the old traffic generation and new traffic
2 generation when, including the anticipated number of trips
3 generated by the unused residential part.

4 MR. HUNT: Sure. So typically, a medical office use
5 compared to a regular office use, the difference is gonna be that
6 you're gonna have all day traffic kind of spread out throughout
7 the day.

8 As an office, it's gonna have A.M. peak traffic and
9 P.M. peak traffic. You're not gonna have that at a medical
10 office. You're gonna have people coming and going kind of all
11 day.

12 So what that results in is kind of a less, lessened
13 peak demand, so you don't have a lot of individuals showing up at
14 once trying to access the facility. But ultimately, your total
15 number would end up being higher as far as physical trips to the
16 facility.

17 ZONING EXAMINER: But then I guess you'd have to
18 subtract any of the trips generated by the house, the residential
19 - the multi-family dwelling that's being removed.

20 MR. HUNT: Yes. But to be candid, you're gonna have
21 the same type of environment for residential facilities. You
22 typically still consider A.M. and P.M. peak trips. You can't
23 necessarily consider your user age or, or any of that nature for
24 analyzing that. When you analyze residential trips, there's A.M.

1 trips, assuming going to work. And P.M. trips, assuming coming
2 home from work.

3 ZONING EXAMINER: (Inaudible)

4 MR. HUNT: Those are the most -

5 ZONING EXAMINER: Apples and oranges here (inaudible)

6 MR. HUNT: Yeah. Right. Right.

7 ZONING EXAMINER: Has the Neighborhood Communication
8 Plan been changed since I - or added onto or amended in any way
9 since the one sent to me?

10 MR. HUNT: No, sir. The Neighborhood Communication
11 Plan on record is the same today as it was when you received it.
12 It's also the same as the one that was distributed to the
13 adjacent owners.

14 ZONING EXAMINER: Is there any provision that'll be put
15 in there for a method or mechanism for amending that plan?

16 MR. HUNT: No, sir.

17 ZONING EXAMINER: Okay.

18 MR. HUNT: We certainly could do that, if that's the
19 desire of Zoning Examiner, yourself, sir.

20 ZONING EXAMINER: I think it's always probably a good
21 idea to -

22 MR. HUNT: One -

23 ZONING EXAMINER: - address unforeseen consequences,
24 but -

1 MR. HUNT: Sure. I guess -

2 ZONING EXAMINER: - there might be -

3 MR. HUNT: - to explain some of the neighborhood
4 concerns and how they fit in the Neighborhood Communication Plan,
5 there was some obvious hurdles with trust that we had to
6 overcome.

7 And one of the things that we wanted to make sure the
8 neighbors understood is what they were getting involved in today
9 would be how we're gonna operate into the future. And so the
10 Neighborhood Communication Plan was really something we were
11 trying to get everyone's input up-front so that we can include
12 all those concerns.

13 And we really wanted to - we've assured them throughout
14 the process that we wouldn't be just going back later and
15 switching things to our favor. So in, in regards to the
16 neighborhood -

17 ZONING EXAMINER: I was thinking the other way.
18 They might find something that needs to be put in there that -

19 MR. HUNT: Understood.

20 ZONING EXAMINER: - might have to negotiate.

21 MR. HUNT: So the result to the Neighborhood
22 Communication Plan is by providing a contact through CODAC. It
23 gives the open line of communication that should they ever need
24 to add anything, or, or should we need to add any sort of

1 additional items to the record, we're basically providing the
2 flexibility to have that communication, right? So that's the
3 idea is really that first paragraph is, in my opinion, we'd be
4 taking care of that.

5 ZONING EXAMINER: And I wanted to ask about the, the
6 after-hours contact that's referred to in the plan. That refers
7 only to after-hours 5:00 to 9:00?

8 MR. HUNT: Correct. So anytime that we're not
9 physically there, right? It goes to a 24-hour line that then
10 distributes that phone call to somebody who's on-call.

11 ZONING EXAMINER: Right. So that's 24 hours.

12 MR. HUNT: That's - sorry. That's after-hours. But
13 it's, it's a help line, kind of a routing service. Does that
14 make sense?

15 ZONING EXAMINER: Sort of. Let me just ask you. If
16 it's 9:30 -

17 MR. HUNT: Okay.

18 ZONING EXAMINER: - and, and -

19 MR. HUNT: What's that?

20 ZONING EXAMINER: If it's 9:30 and I'm a neighbor with
21 a concern.

22 MR. HUNT: You would call. You would be routed to that
23 line and it would send your phone call to whoever is on call
24 currently at that time.

1 ZONING EXAMINER: Okay. On the power point with the
2 site plan on it, -

3 MR. HUNT: The colored, sir?

4 ZONING EXAMINER: The colored one, yeah.

5 MR. HUNT: This, sir?

6 ZONING EXAMINER: Yeah. So this - the parking to the
7 north of the property would be accessed on the east side?

8 MR. HUNT: Yes, sir.

9 ZONING EXAMINER: That's a one- -- one-way access in
10 there?

11 MR. HUNT: Yes, sir, it is.

12 ZONING EXAMINER: And that - is that employee parking?

13 MR. HUNT: Yes, sir, that would be restricted to
14 employee parking.

15 ZONING EXAMINER: Would there be any signage or gating
16 that's anticipated there?

17 MR. HUNT: The intent, due to traffic circulation on
18 site, we would not want to fence that off, prevent someone from
19 turning around in an emergency. But we would have signage on the
20 building that would indicate that it's one-way employee parking
21 only. For clarity, that signage would likely be in this
22 location.

23 ZONING EXAMINER: So to - you wouldn't want a gate on
24 the ingress because somebody might need to exit that way.

1 MR. HUNT: Well, no, not for exit. Should you get into
2 that location and find that you're in the wrong location, say
3 you're not an employee and you can't get through with, say, a key
4 card or anything, it would be very dangerous to be backing up
5 back into traffic to try and get around this area.

6 So this is somewhere that we will have it signed as
7 employee only, but should someone should get back there that is
8 not an employee, they would be able to then continue to where
9 they're supposed to park. That would prevent any sort of traffic
10 congestion -

11 ZONING EXAMINER: Okay.

12 MR. HUNT: - in this location.

13 ZONING EXAMINER: And that's also where the trash
14 receptacles are on the -

15 MR. HUNT: Correct.

16 ZONING EXAMINER: - northeast corner there?

17 MR. HUNT: There are options for fire and trash. They
18 provide - be provided keys or access, so it's not exactly a, a
19 limiting factor, but it would be for ease of operation to leave
20 that open for trash and fire as well.

21 ZONING EXAMINER: To leave the egress open for trash
22 and fire?

23 MR. HUNT: Correct.

24 ZONING EXAMINER: Okay. Is there - I didn't see one on

1 the site when I looked. Is there an enclosure proposed around
2 the trash containers?

3 MR. HUNT: That is correct, sir. We would be adding
4 also another container in this location, and bringing that
5 container location up to code. Currently there is not a screen
6 or enclosure there, and we would be doing that as a part of this
7 project.

8 ZONING EXAMINER: The - is this a non-smoking campus?

9 MR. HUNT: We will not be allowing any smoking within
10 25 feet of the rear yard. That is this location here. So any
11 smoking would have to be happening in designation area, which we
12 would be proposing a bench in this area here. And we have
13 covered that with Staff.

14 ZONING EXAMINER: Okay. Does the - were you
15 anticipating securing any of the semi-open areas on the building?
16 There are areas where there's sort of porch enclosures, as a
17 ground floor balcony type places.

18 MR. HUNT: In what manner, sir?

19 ZONING EXAMINER: Like there's, there's lattice work in
20 the back, in the rear area which is - has been broken through.
21 And I was wondering if that - would that remain open or would it
22 be replaced with a less - or more secure screening?

23 MR. HUNT: So the one main component that I have failed
24 to mention is that the majority of this construction project is a

1 tenant improvement. So though the bones of the building will
2 stay the same, the inside of this building is gonna be entirely
3 renovated. There's also gonna be new doors put on the facility
4 to increase security. These courtyard areas that are here
5 existing that you're referring to -

6 ZONING EXAMINER: Uh-huh.

7 MR. HUNT: - you can't see them on this rendering
8 because they're gonna be eliminated and incorporated in,
9 including the entrances to the -

10 ZONING EXAMINER: Are you -

11 MR. HUNT: - courtyard to the back.

12 ZONING EXAMINER: You're walling in the courtyards with
13 the trees coming through the roof?

14 MR. HUNT: That is correct, sir.

15 ZONING EXAMINER: Ah. I, I was referring to the, the,
16 the little enclosures near the back door. There's these porches
17 really.

18 MR. HUNT: Yeah. I think in the existing situation
19 that was put in for the benefit, I believe, of the law offices
20 that were there originally. So that was a nice ingress/egress
21 location. Obvious reasons, I don't think we'll be able to have
22 that same luxury -

23 ZONING EXAMINER: So -

24 MR. HUNT: - at this location. There's gonna have to

1 be that additional security.

2 ZONING EXAMINER: Those will be enclosed?

3 MR. HUNT: Correct.

4 ZONING EXAMINER: Okay. Is there any medical waste
5 that would come out of this facility?

6 MR. HUNT: There is no medical waste that would not be
7 disposed of appropriately per your typical out-patient medical
8 (inaudible)

9 ZONING EXAMINER: And you have a contract with
10 (inaudible)

11 MR. HUNT: Correct, sir.

12 ZONING EXAMINER: Okay. Let's move on to other
13 people's input.

14 MR. HUNT: Thank you, sir.

15 ZONING EXAMINER: Those are my questions for now. So
16 anybody else who's here to support the application, if you want
17 to come forward now, we can do that.

18 MR. CASH: Good evening. Thank you for allowing me a
19 few minutes. My name is Neal Cash. I live at 5221 East Camino
20 Bouskay (ph.), 85718. I'm here as the President and CO of the
21 Community Partnership of Southern Arizona where the Regional
22 Behavioral Health Authority contracted by the State Department of
23 Health Services and AHCCCS to really oversee and, and fund the
24 system of care for people with mental illnesses and substance use

1 disorders in Tucson and Pima County.

2 I really want to talk a little bit about CODAC and who
3 they are as an organization. I think Christine did a little bit
4 of a job doing that. But I've been in this field for over 35
5 years, and I've been directly involved in the provision or
6 administration of behavioral health services for that period of
7 time.

8 I could tell you over the last 40-plus years that
9 CODAC's been in existence, they have really done a tremendous job
10 in this community of making it healthier and safer. They've done
11 that through the provision of, of affordable, high quality and
12 accessible behavioral health services. I think that's important.

13 And I think that it's also important to note, and
14 Christine alluded to that, but we all know that health care
15 changing, and the opportunities are, are there, and we're gonna
16 see a whole new health care environment that, that's, that's
17 starting to roll out and will continue to roll out.

18 One of the things that I think is very positive about
19 this new health care environment, it doesn't separate the head
20 from the rest of the body. It provides integrated care. It
21 provides care that people need because very oftentimes, whether
22 you're having a symp- -- symptomatic disorder like coronary heart
23 disease or cancer, there's, there's also a behavioral health
24 component to that.

1 And people with behavioral health issues and mental
2 illnesses have usually a lot of medical, untreated medical co-
3 morbidity. So the work that CODAC's doing to bring this
4 community together around kind of a one-stop shop, where you can
5 serve both behavioral and medical needs, should really be
6 commended.

7 I visited the facility on Alvernon that they just
8 recently opened. It's in a similar area with, with residential
9 and commercial. They've done a fantastic job. It's a beautiful
10 facility. This facility that's up here today, I think they've
11 invested about \$4 million in, in the production and, and the
12 development of, of this building. And really, they are state of
13 the art facilities.

14 One of the things that I've always said throughout my
15 career is, I don't want any of the, of the organizations that we
16 fund to have facilities that I wouldn't be comfortable sending a
17 family member or someone that I love into those facilities. And
18 you can see from this facility the development and the design of
19 this facility, that I think any, any one of us in this room would
20 be more than happy to send a family member or a loved one for the
21 care that they need to CODAC Behavioral Health Services. And
22 that's important.

23 The other thing I want to point out is that CODAC has
24 been so engaged in this community in a variety of different ways,

1 whether it's sponsoring or, or, or underwriting fundraisers in
2 this community, participating in cultural, cultural events,
3 neighborhood events, they've done a lot of work within the
4 neighborhood that, that is being discussed tonight in terms of,
5 of cleaning the neighborhood up and really providing a lot of, a
6 lot of support and a lot of engagement around what the community
7 thinks, and what that neighborhood thinks.

8 I was pretty surprised when I heard that they had nine
9 community meetings that actually engaged, cast a pretty wide net
10 and allowed the folks throughout that neighborhood to really
11 comment on what they thought CODAC needed to perhaps improve that
12 facility. I think that says a lot.

13 The last thing I want to mention is that - because
14 there was an anecdote that, that I heard that a member of CODAC
15 was kind of creating a nuisance in one of the businesses around,
16 around that area that happened to be a restaurant. And it was
17 pointed out to, to CODAC by some either a staff person or someone
18 who was in, in that, in that restaurant at the time, that they
19 thought maybe this person was involved with CODAC.

20 CODAC reached out to that person. They got that person
21 in. They did an assessment of that person, and actually provided
22 the care that that person needed to really resolve the issue.
23 And I think that speaks volumes to the fact that we shouldn't be
24 afraid of people with mental illnesses.

1 I think really the thing that we really need to be
2 concerned about is untreated mental illness. And I think what
3 CODAC is proposing to do is to engage a community and to provide
4 even more services in, in a very productive and important way.

5 The last thing I want to say, and if you have any
6 questions, I'll be more than happy to, to answer them. But, you
7 know, mental illness is a national issue. It impacts one in four
8 people throughout our nation, and our community is no different.
9 If you ask in any meeting that you go to for people to raise
10 their hands, you'd see a lot of hands go up if people were honest
11 to talk about the fact that they had a family member, or they
12 themselves had a mental illness.

13 I think it's important that we remember what happened
14 three years ago. We just kind of remember January 8th, 2011.
15 And really, it was untreated mental illness that created the
16 situation that was so horrific for our community. And
17 unfortunately, we've seen other situations like that over the
18 past, past few years.

19 I think what we need to do is reduce stigma. And I
20 think the single biggest barrier that people have to getting help
21 is the stigma around mental illness. One of the things that CPSA
22 has been engaged in over the last few years, along with CODAC and
23 our other providers is something called Mental Health First Aid
24 Training.

1 And what that does is it informs and it trains the
2 community to understand and identify the early signs and symptoms
3 of mental illness. Not as professionals, but the same way you
4 would respond to an accident, or somebody that was having a, a
5 heart attack, to be able to get that person attended to until
6 professional help got there.

7 We've trained over 2,000 people in this community.
8 We've trained veterans, we've trained law enforcement, we've
9 trained people from the faith-based communities. We've trained a
10 cross section of this community. We've trained over 2,000 people
11 to be mental health first aiders. One of the important things
12 in that training is not only to understand the early signs and
13 symptoms of mental illness, but to understand and know the
14 resources that are available.

15 CODAC is presenting today a resource that can be
16 available and should be available in this community. And so I
17 hope the outcome of this zoning hearing is successful. Hope it
18 can get this facility up and running, and I appreciate the time
19 and I'm available for any questions. Thank you.

20 ZONING EXAMINER: Thank you, Mr. Cash. Anyone else
21 wishing to speak in favor of the application?

22 MR. SHEINOUS: Hello. My name's Robert Sheinous. I
23 live on 1805 East Blackledge Drive. I'm Co-Chair of the Hedrick
24 Acres Neighborhood Association.

1 I'm, I'm here basically just to speak to my contact
2 with the neighborhood residents who've talked to me about this
3 issue, and also my experience with CODAC in dealing with
4 problems. I was involved in the problem that the previous speak
5 alluded to, and my, my feeling is at the time, you know,
6 residents were afraid to contact CODAC, and, and there wasn't a
7 lot of back-and-forth. So I facilitated that contact.

8 And since then, CODAC has demonstrated a willingness
9 and a commitment to being more available to, to be contacted with
10 problems of this nature and to come out and deal with them. And
11 I hope that contin- -- that relationship between the neighborhood
12 and CODAC continues to improve.

13 As far as the, the meetings that took place and
14 contact, the, the contact with neighbors that I've had outside
15 those meetings who've talked to me, there's a - seems to be a
16 general consensus many, many of my neighbors have either been
17 clients of CODAC or know people that have family members or, or
18 friends who have. And the general consensus is that CODAC does a
19 good job at what they do. So it's a valued member of the
20 community.

21 The, the - and, and from, from the standpoint of moving
22 the, the facility outside of the residential zone of our
23 neighborhood to the Fort Lowell area where the only access is
24 from Fort Lowell and not throughout neighborhood is, even with

1 people who have reservations that I'm sure you've seen in the
2 communications that have been directed to you, and, and what's
3 taken place at the meetings, it's viewed as a favorable move by
4 the eight or ten people that I've talked to for the, the reasons
5 that have been enumerated as far as the amount of traffic through
6 the neighborhood. And also the fact that there's going to be a
7 pharmacy on-site, which means people won't be leaving CODAC with
8 their prescriptions and possibly going, you know, across the
9 neighborhood to the Walgreens at Campbell and Fort Lowell.

10 It's - it remains to be seen whether the traffic across
11 the neighborhood will be reduced because of that, but I'm, I'm
12 hopeful that that traffic, and also the fact that there won't be
13 parking lot egress into the neighborhoods, that we'll see a
14 decrease in, in cross-neighborhood traffic.

15 The other thing that people have said is, you know, the
16 currently half-built student housing project, it's, it's always
17 preferable to neighborhoods to have a, an occupied parcel that's
18 being used for something, and also the - most of the neighbors
19 who've talked to me about it view a parking lot more favorably
20 than a student housing unit.

21 So with the, with the caveat that as long as the
22 Neighborhood Communication Plan is implemented, my sense of the
23 Hedrick Acres Neighborhood is that there's su- -- support for
24 this move, and the rezoning to a parking lot.

1 ZONING EXAMINER: Thank you, Mr. Sheinous. Anyone else
2 wishing to speak in favor of the application?

3 MR. INGRAM: Hello. My name's Greg Ingram, and I'm
4 President of Environment Control. We've been in the building
5 service industry in the Tucson metropolitan area for over 30
6 years. We are headquartered in the Mountain View Neighborhood,
7 and we have owned commercial property there for the last 12
8 years.

9 Environment Control have been working with CODAC for
10 many months now, providing the janitorial and the environmental
11 services to many of CODAC properties, including one at the 3100
12 North First Avenue. At the properties we service, we take pride
13 in maintaining a clean and safe environment inside and out, and
14 believe that this impacts the quality of care, especially in
15 health care institutions.

16 CODAC is very conscientious of their properties and
17 their image in the community, which is why they hired us to help
18 them stay on top of the interior and exterior cleanliness and
19 repairs. They have contracted with us to identify and fix
20 problems immediately.

21 When CODAC identifies problems such as graffiti or
22 broken wall masonry, they call us right away and ask us to
23 resolve the issues immediately. They show us that they care
24 about their facilities, their clients, their staff and their

1 neighborhood.

2 We're also impressed at the security of their sites.
3 When we arrive after hours, the sites are secured and well lit.
4 We have seen Rankin Security come around on the random patrol,
5 adding that extra comfort. We also believe that having our staff
6 on the sites after hours aids in the security of the site because
7 we are able to report any loiterers or suspicious behavior.

8 As business owners and property owners in the Mountain
9 View Neighborhood, we are very aware of the real issues that
10 exist for residents in this area, including poverty and health
11 disparities.

12 And we know that mental illness is a national topic
13 that needs more awareness and support. That is why we're proud
14 to partner with CODAC and to support their request for rezoning
15 of the Cobblestone property.

16 Finally, I would like to close by saying that the
17 business culture at CODAC has been one of cooperation and
18 integrity. It has been refreshing to deal with individuals who
19 live up to their commitments and treat their service providers
20 with mutual respect. I have no doubts that they will continue to
21 be great neighbors. Thank you.

22 ZONING EXAMINER: Thank you, Mr. Ingram. Anyone else
23 wishing to speak in favor of them?

24 MS. LAIN: Good evening. My name is Cassandra Lain.

1 I'm coming to speak to you on behalf of clients. I'm a client as
2 well as an employee of CODAC Behavioral Health.

3 Three years ago, I came to CODAC for services. I was
4 addicted to meth. In fact, I've been addicted to meth for 18
5 years. I'm a mother of three children. They were removed from
6 my custody as a direct result of my substance use.

7 CODAC was the first place that supported me and
8 assisted me with the education, the therapy services. I was able
9 to see a doctor and I stand before you today three years drug
10 free.

11 I was reunited with my children. Sorry, I get choked
12 up. And as I grew in my recovery, CODAC services grew with me.
13 They, they were able to provide me the next step. Assistance
14 with the next step for me was more education. And I'm now a
15 recovery support specialist. I work at the current First and
16 Fort Lowell site for CODAC. I work directly with (inaudible) our
17 adult services, so hands-on with individuals that come for groups
18 and individual peer support.

19 I really love what I do. I love being able to give
20 back to the community and I've heard the word integrity mentioned
21 a few times in this meeting, and I think that's an
22 understatement. If you can imagine what it takes to have a
23 mother like myself who's been addicted to drugs basically her
24 whole life, and transform her into a contributing member of

1 society, it paints a picture of what CODAC does for our
2 community. I fully support the rezoning.

3 ZONING EXAMINER: Thank you, Ms. Lain.

4 MR. BARRASSO: Greetings. My name is Robert Barrasso.
5 I am a Tucson family law attorney, and I am currently the
6 President of the Board of CODAC. A long time ago, I wanted to be
7 a priest, but I fell in love with my wife and so I became a
8 family law attorney instead.

9 I had a yearning desire to give back to my community,
10 and about ten years ago, somebody asked me to be on the Board of
11 CODAC, and I have been on the Board ever since. And I can tell
12 you, I have a very great excitement about CODAC. I - it is such
13 a good way to give back to the community.

14 I can tell you that the Board is extremely concerned
15 about our community and about all of the concerns that have been
16 raised here. We have meetings every month, and we are scrupulous
17 about hearing what goes on and about responding to the needs of
18 the community.

19 I'm really, really excited about the idea of inte- --
20 integrated care. It just seems like such an obvious, brilliant
21 idea to treat the whole person. And CODAC is on the cutting edge
22 of that, and this facility will be on the cutting edge of that.

23 One of the reasons we think it's so important to make a
24 building look good and feel good is because it helps people heal.

1 It helps mental health patients get over the stigma and to be
2 treated with dignity and not to be shoved in the back corner.
3 It's very, very important that we have a good presence in the
4 community, and I can assure you from the Board's point of view
5 that we will take neighborhood complaints very, very seriously.
6 We will stay on top of them. Our reputation is extremely,
7 extremely important to us. So I fully support this rezoning.
8 Thank you.

9 ZONING EXAMINER: Thank you, Mr. Barrasso.

10 MS. ATKINS: Hi. So my name is Tippy Atkins, and my
11 first contact with CODAC was in the year 1999, as a member in
12 residential treatment program, Las Amigas. I graduated Las
13 Amigas in 2000 and was told by the then Program Coordinator if I
14 stayed clean for a year and came back, she would give me a job.

15 Well, she was true to her word. A year later I came
16 back and they gave me a job. I stayed at CODAC for three years
17 and then I relapsed. Not due to anything that CODAC did, but
18 simply because I made some bad choices.

19 Periodically, I would call during that period of
20 relapse to one particular staff member who always took my call.
21 She always took it. And she would say, "Tippy, when you're ready
22 to do the next right thing, let me know."

23 Well, it took three years, and I was finally ready
24 to do the next right thing. I checked myself into detox on

1 July 7th, 2007. And my first visitor was my CODAC case manager,
2 Peter Burnem (ph.). I'll never forget him.

3 So he helped me get into the Gospel Rescue Mission
4 Women and Children Center, and I stayed there for two years.
5 And the whole time, I stayed in contact with, with my CODAC
6 (inaudible) They were very supportive.

7 After being clean and sober for two years, I knew that
8 I wanted to go back in behavioral health 'cause I knew that I
9 wanted to help others to do what others had helped me to do,
10 which was to, to become whole again. I have a very deep place in
11 my heart for CODAC because of the type of organization they are.

12 And basically the term that keeps running through my
13 head is CODAC puts their money where their mouth is. They
14 believe in the people that they serve. They believe in what they
15 do. And the proof of that is that when I came back two years
16 later after relapsing, they were willing to rehire me as a
17 recovery coach. And I started working at their intensive court
18 order site.

19 A year after that, I was promoted to recovery coach
20 coordinator. And currently, I oversee a staff of 30 other people
21 who work in CODAC who are all in recovery. A lot of them are
22 CODAC members now, or have been in the past.

23 I really was trying to figure out like what can I say
24 that is going to like just totally impact these people and let

1 them understand the power that is in saving one life. And I had
2 a meeting with part of my staff today, and, and I think this says
3 it all 'cause what I shared with them was this.

4 Never forget where you come from, and always remember
5 that even if you help one person like the one person or the few
6 people who helped you, that person is gonna go out there and
7 impact many more lives. I know that there are thousands of other
8 people like me because there are recovery coach staff all over
9 the United States today.

10 But I also know that CODAC is leading in instrumental.
11 We're like ahead of the game as far as other states because I
12 just attended a training in Phoenix with many other behavioral
13 health care organizations from all over the country, and they
14 were flabbergasted to find out how many people in recovery were
15 employed at CODAC Behavioral Health Services.

16 So with that said, I also want to share that one year
17 after returning to CODAC as - no, that's the wrong card. In
18 October 2013, I was honored to received the Arizona Coalition on
19 Homelessness Award for outstanding achievement in overcoming
20 homelessness.

21 In December of this year, I received an award from
22 Gospel Rescue Mission for five years of volunteer service and
23 ministry to that organization. Three years into my recovery, I
24 started 12-step faith-based group called Walking By Faith, which,

1 which ran for three and a half years.

2 In 2010, my son and I participated with artist, David
3 Taneo, CODAC, and the Hedrick Acres Neighborhood in creating a
4 mural, Changing Hearts, Changing Minds. That was until recently
5 posted on Mountain and, and Glenn area.

6 Also in 2010, my son and I participated in the cleanup
7 of the wash on Mountain and Fort Lowell. And this was before I
8 even became a resident of that neighborhood. Today, I live in
9 the Hedrick Acres Neighborhood because I recently moved, and I
10 looked at the Hedrick Acres Neighborhood because of the
11 connection that we had had during the mural project and the
12 cleanup project of the neighborhood, so -

13 I want to share that CODAC has been an instrumental
14 part of not just my recovery, but my ability to become a viable,
15 tax-paying citizen of my community. I'm going into my fifth year
16 of re-employment with CODAC, my seventh year in recovery.

17 And I am so grateful to CODAC because they believe so
18 much in the work that they do, and the proof is the fact that
19 they, they will hire people that they get well, whenever the
20 opportunity presents itself or the circumstances allow for it.

21 I hear from members on a daily basis, "CODAC saved my
22 life," and I tell them, "They saved mine, too." If CODAC does
23 anything for the communities that they're based in, it is to
24 provide a resource for people who are seeking health and

1 wellness. It is to improve the quality of life for people in the
2 community, thus improving the quality of our community.

3 I'm not the only person in this community whose life
4 and course has been changed and altered from heading down a dead-
5 end street to a highway full of endless possibilities. There are
6 thousands of others like me.

7 I also want to say that I believe in the presence of a
8 CODAC site in every neighborhood. And I believe that the CODAC
9 site assists in keeping people in a healthy state, giving them
10 the resources to receive the help that they need, to be and to
11 continue to be a viable, contributing, healthy member of not just
12 our community but our society. Thank you so much.

13 ZONING EXAMINER: Thank you. Before you step away, my
14 hand did move fast enough to get your last name, and I want to
15 make sure I get it accurately.

16 MS. ATKINS: Atkins.

17 ZONING EXAMINER: Atkins. Okay. Thank you.

18 MS. ATKINS: With a T, not a D.

19 ZONING EXAMINER: With a T, okay. Thank you very much,
20 Ms. Atkins. Anybody else wishing to speak in favor of the
21 application? All right. Anybody wishing to speak in opposition
22 to the application?

23 MR. KAPLAN: Good evening. Thank you for letting me
24 speak. My name is Steve Kaplan. And what I'm representing is

1 my, my mother and my three aunts. They own the property directly
2 to the west of the proposed parking lot. And actually, they own
3 the three properties to the west.

4 So I think at least two of the properties, maybe all
5 three, are, are part of the, within the 150-foot zone. The lot
6 numbers are, I got off the records, are 337, 336 and 332.

7 First off, I'd like to say that I believe that this
8 organization probably has great integrity and is wonderful for
9 the community. I, I - my family and I, we don't want to oppose
10 that.

11 But what, what our concerns mainly are, is one was the,
12 the memorial that's there for Officer Hardesty. I know that I
13 talked to Ms. Sullivan earlier. She came to me and told me that,
14 you know, they would do everything possible to, you know, that's
15 not ours, but it's the community's, and to make sure that it was
16 preserved. And my family would appreciate that. Thank you very
17 much.

18 Some of the concerns that, that we - arose from, from
19 reading the documents that we received were, number one, we were
20 concerned about the, the traffic to the actual proposed parking
21 lot. In my reading of, or our reading of this document, I
22 believe they showed that they're talking about 604 vehicles
23 throughout the day during their peak hours, 99 maximum, in 67
24 parking spaces.

1 First off, I'm not sure that's possible, but secondly,
2 and that's a lot of people making noise, doors opening and
3 closing, cars starting up. So I just wanted to bring that to
4 your attention.

5 And the other thing that, of course, they're concerned
6 about was security. I realize that there's going to be a six-
7 foot high wall which, you know, I, I understand that, you know,
8 that you gotta be in pretty good shape to jump a six-foot wall.
9 But, however, you're still bringing, you know, gosh, in those 604
10 vehicles, you know, that's at least 604 people into the
11 residential part of a neighborhood. That is concerning. So
12 that, that, you know, that's our concerns.

13 As far as the, you know, I'm reading in here, I
14 originally saw in your point number nine, I guess you would call
15 it, it showed that you were gonna have hours from 7:00 to 8:00,
16 and I just realized that you just spoke about hours from 7:00 to
17 9:00.

18 One of the concerns is, is that, of course, the way
19 that luck would have it is the existing house on the property,
20 the second property to the west, is all the bed- -- or two of the
21 bedrooms line up on the east side of the property, or east side
22 of the house which is directly, you know, the parking lot's right
23 across the lot from it.

24 So, you know, it's concerning that, that, you know, if

1 someone went to bed before, you know, around 9 o'clock, they may
2 have trouble, you know, going to sleep because of doors opening,
3 closing, people getting out of, you know, whatever activities
4 that may be going on.

5 You know, and, and, you know, I just wanted to point
6 out, you know, that I realize that all of us, as, as human nature
7 is, when we're trying to propose something, we have, you know, we
8 want to help and work with everybody. But in time, things
9 change.

10 So I mean even you can see as tonight when that
11 paperwork came out, it showed the hours of 7:00 to 8:00 P.M., and
12 now they're 7:00 to 9:00. And, you know, all of a sudden things
13 are changing before it's even rezoned.

14 The other thing I'm concerned about was the, you know,
15 light pollution into the lot being that the bedrooms are on that
16 side of the, the house. And, you know, I don't know if light
17 pollution is the right term, but, you know, I guess you could put
18 more shades on the windows. I, I, you know, I'm just concerned
19 about that as well.

20 The other thing that, of course, we have to be
21 concerned of is with property values. Our, you know, we - I
22 realize that my, my grandparents, or great-grandparents bought
23 that property sometime in the 1930's. I don't know the year.
24 You know, we've seen it go from, I think at that time it was

1 Pima County. Now we've seen it go, you know, in the '60's and
2 '70's, it was probably a very viable piece of property.

3 But, you know, now the area, I realize, has depressed
4 some. And I'm just concerned that, you know, my, my two aunts
5 and my mom, this property is, you know, I know they're elderly
6 but, you know, they, if they ever needed to sell that place, I
7 would like to think that the property values wouldn't go down.

8 And, and so with that parking lot being there, it just
9 is concerning to me that that would cause it to be even more
10 depressed for that particular parcel of land.

11 So the other thing that I, I did notice by looking at a
12 drawing that was part of the package, if you look there at the,
13 that would be the northwest corner of the parking lot. One of
14 the, the drawing that I saw, kind of in your upper left there,
15 the, the lot that, that we own goes from Fort Lowell all the way
16 north to Navajo.

17 And it showed some drainage openings in the wall that
18 would put drainage across our property. And, and I would have to
19 reject (sic) to that because, you know that would cause issues
20 for future development for us on that property.

21 Let's see here. And actually, I'm assuming that, you
22 know, a couple of things that I wanted to point out, too, is I
23 wanted to be sure that if this did get rezoned, that that wall,
24 the six-foot wall would be a solid wall without wrought iron or

1 anything that would make it so people could just look in and
2 there, there would be lack of privacy, you know. And, and I did
3 speak about the noise and the lighting.

4 The other thing is, is if it did get rezoned and the
5 wall was to go up, my mother wanted me to make sure that the
6 developer knew that the chainlink fence that's there, we put up
7 and would expect to get back. And during construction, if it
8 does get rezoned, we would demand that they have some type of a
9 security fence up during construction.

10 So I kind of switched gears on you there, but I, I
11 wanted to make sure I covered all of the concerns. And, and like
12 I said, I mean nothing derogatory to CODAC at all. These are
13 just our concerns and, and I need to represent my family in them.
14 Thank you for the opportunity to speak.

15 ZONING EXAMINER: Thank you. Hopefully we'll get to
16 talk a little bit more about your concerns here tonight.
17 Anybody else wishing to speak in opposition to the application?

18 MS. EURE: My name is Olivia Eure (ph.). And my role
19 here is a little bit funny because we sent a letter of tentative
20 approval. But I'd like to explain. I, I think the previous
21 speaker inspired me to address some of my concerns, too.

22 We own the property that is just north of the proposed
23 parking lot. There actually are two, two lots there, and we own
24 the one that's a little bit further east, but it's directly

1 behind the proposed parking. And I have to echo the comments of
2 the previous speaker that, of course, CODAC is such a, such a
3 worthwhile and, and valuable asset to our community. But also,
4 my - our own point of view has to come in and so I just felt like
5 I needed, needed to express that, too.

6 Yes, concerned about traffic, the car pollution from
7 600 cars a day starting. That's a lot. Yeah, light pollution
8 from nighttime use. And I, I did notice that, too, that, you
9 know, the previous papers had said that the hours of operation
10 would be 'til 8:00 P.M. and now it said 9:00 P.M. Also, I don't
11 remember it saying Saturdays and Sundays before, but I, I could
12 be mistaken about that. So, thank you. I think that's all that
13 I have. Thank you very much.

14 ZONING EXAMINER: All right. Thank you, Ms. Eure.

15 MR. CARLSON: (Inaudible)

16 ZONING EXAMINER: Sure.

17 MR. CARLSON: I'm Mike Carlson. I own three properties
18 directly to the -

19 ZONING EXAMINER: Let me, let me sure -

20 MR. CARLSON: Mike -

21 ZONING EXAMINER: - it's on the -

22 MR. CARLSON: Mike Carlson. I own the three properties
23 to the south. I was the one that wrote the letter concerning
24 the, the bus stop and the methadone. And I'm just here today to

1 let you know that I'm at the meeting, and those are my concerns
2 as stated in the letter.

3 ZONING EXAMINER: Okay.

4 MR. CARLSON: We do not - again, as - I don't think
5 that those concerns were addressed. The bus stop was never
6 addressed in anything. And -

7 ZONING EXAMINER: Let me -

8 MR. CARLSON: - methadone -

9 ZONING EXAMINER: - let me back up one second. Were
10 you here when we began the meeting tonight?

11 MR. CARLSON: Yes.

12 ZONING EXAMINER: Okay. Good. So I swore you in?

13 MR. CARLSON: No.

14 ZONING EXAMINER: Ah.

15 MR. CARLSON: I came in at 6:40.

16 ZONING EXAMINER: Let me, let me just swear you in so
17 that what we have on the record is sworn.

18 MR. CARLSON: Oh.

19 ZONING EXAMINER: Everybody was sworn in.

20 MR. CARLSON: Okay.

21 ZONING EXAMINER: If you raise your right hand. Oh, we
22 had somebody else who wasn't - ah. Why, why don't you just both
23 stand up and, do you swear or affirm to tell the truth, the whole
24 truth and nothing but the truth and that everything that you have

1 said is the whole truth, the truth, and nothing but the truth?

2 MR. CARLSON: Yes.

3 (Affirmative.)

4 ZONING EXAMINER: All right. Thank you. Just, just
5 for the record. I'm sorry to interrupt you.

6 MR. CARLSON: Okay. Anyways, I'm assuming you got the
7 letter and you'd read it, and that was my - I, again, have
8 nothing against CODAC or, or the - what they do or what they can
9 do. Only concerns about owning the properties where the bus stop
10 is with having the people, or riff-raff, and activities that go
11 with it. We're concerned about the properties we own there with
12 what we see on the First and Fort Lowell area.

13 And, again, I'm just stating that I want everybody to
14 be clear on that, because if there's a problem there, that I will
15 make it a problem.

16 ZONING EXAMINER: Is this the, the bus stop that's -

17 MR. CARLSON: On the south side of Fort Lowell -

18 ZONING EXAMINER: The south side.

19 MR. CARLSON: - where their patients will be dropped.

20 ZONING EXAMINER: Okay.

21 MR. CARLSON: And, and it's in the easement there.

22 And we just don't feel that it was ever addressed.

23 ZONING EXAMINER: Okay.

24 MR. CARLSON: And I don't feel that the methadone was

1 ever addressed either. I'd prefer to have a written contract
2 that says that will never happen.

3 ZONING EXAMINER: Okay.

4 MR. CARLSON: And, and again, I'm gonna close with, I
5 want to say that we will have everyone know that we don't oppose
6 business growth in the neighborhood. We just have concerns with
7 the type of business and the patrons who come with it.

8 ZONING EXAMINER: All right. Thank you, sir.

9 MR. CARLSON: Thank you.

10 ZONING EXAMINER: Is there anyone else who wishes to
11 speak opposing the application? Anybody who just wishes to make
12 some comments on the application on a relevant issue? All right.
13 Mr. Hunt?

14 MR. HUNT: Just for clarity. You don't need me to sign
15 back in -

16 ZONING EXAMINER: For now.

17 MR. HUNT: - for any reason? Okay. So thank you for
18 all of your comments both positive and in opposition. I'll go
19 ahead and just start with the members of opposition, and just
20 discuss some of those concerns. I'll go in order in which they
21 were presented. So, Mr. Kaplan, I'll start with your concerns.

22 So, hours of operation change, that was one that was
23 mentioned by Mr. Kaplan and also Olivia. That came about with
24 the original preliminary conditions were posted, and it stated

1 that they would be until 8 o'clock at night. We had proposed to
2 change that to be allowed until 9 o'clock at night because we
3 felt that that better served our use potentially.

4 Currently, CODAC is only open from 8 o'clock 'til 5:00
5 P.M. And so CODAC, by expanding those hours of operation, it
6 gives CODAC flexibility in the future, should they choose to have
7 evening hours and evening operations. It was our feeling that
8 the difference between 8 and 9 o'clock would be inconsequential
9 to what we're trying to prevent. It's not too late at night, but
10 it would allow us a good amount of time after typical work hours
11 to be able to facilitate any sort of meeting.

12 In addition to that, we'd attended, as I mentioned
13 before, the neighborhood meeting at Habitat for Humanity. That
14 meeting went past 8 o'clock at night. I mean it becomes clear
15 that you start something at 6:30, 7 o'clock at night, going 'til
16 9 o'clock could be necessary. So we really just want to maintain
17 and preserve flexibility. And that was our reason for proposing
18 that.

19 MR. KAPLAN: (Inaudible)

20 ZONING EXAMINER: As we know. But let me ask you this,
21 'cause there - I think that those concerns about hours of
22 operation are valid concerns -

23 MR. HUNT: Sure.

24 ZONING EXAMINER: - in any, in any context. Could be a

1 meeting of the Daughters of the American Revolution, you know.

2 MR. HUNT: Understood.

3 ZONING EXAMINER: Coming out at 9 o'clock could cause
4 some disturbance to adjacent residential neighbors.

5 MR. HUNT: Understood.

6 ZONING EXAMINER: And this is where, I think it's
7 possible that the neighborhood communication - is it called a
8 plan or Neighborhood Communication Plan - thank you - being
9 somewhat modifiable may be helpful. Perhaps as an accommodation,
10 CODAC could establish hours initially at 8 o'clock and see if
11 there's any issues. And then at a point in the future, be able
12 to expand that to 9:00, if there's no trouble at 8:00.

13 MR. HUNT: Sure. So our feeling on that issue is that
14 the rezoning conditions carry with the project, and so future
15 flexibility, if we wanted to expand, we would require it come
16 before Mayor and Council to expand those hours if it's a
17 condition, correct?

18 ZONING EXAMINER: Well, if we put it in the condition.
19 But if we made the Neighborhood Communication Plan a condition,
20 and include the hours as the condition, and then there was some
21 mechanism in the Neighborhood Communication Plan that everybody
22 could agree on, on how to amend it, then I think that condition
23 could be a place-holder for those hours.

24 I don't think it would be an amendment of the condition

1 if the condition referenced an amendable Neighborhood
2 Communication Plan. If any of that made sense.

3 MR. HUNT: Carrie, would you like to speak on that?

4 ZONING EXAMINER: Yeah.

5 MS: SYLVAN: Carrie Sylvan, 4733 East Camp Lowell
6 Drive, also representing CODAC. One of the issues that, that we
7 have, as you well know, we do a lot of neighborhood agreements a
8 lot of times that are official agreements entered into the
9 record.

10 The neighborhood associations that are surrounding this
11 are not - they're registered neighborhood associations with the
12 City of Tucson, they are not legal entities. So a formalized
13 agreement with a lot of the formalized mechanisms that you're
14 talking about are - we were trying with Staff and with the
15 neighborhoods to figure out the mechanisms to kind of make this
16 work.

17 So as we're having, as we're having this discussion, it
18 seems like it's heading more towards a more formalized - and I
19 just want to make sure you're aware that we don't have legal
20 entities -

21 ZONING EXAMINER: The parties could not be - it cannot
22 be (inaudible)

23 MS. SYLVAN: I don't have legal entities on the other
24 side. The commitments are absolutely still there, and it was

1 what's appropriate for rezoning condition, what's appropriate in
2 something like the Neighborhood Communications Plan. So I'm not
3 sure I'm actually answering, I'm probably muddling this even
4 worse.

5 I think that we're - CODAC has been working with these
6 neighbors throughout this entire process, and we absolutely want
7 to continue, and, and that's what we're articulating tonight. We
8 just need to figure out the appropriate mechanism to do it. I ,
9 think our sense was we'll put the - if there need to be hours of
10 operation that are strict hours of operation, let's put the
11 outside of those in the zoning conditions.

12 And then, you know, if, if you want to recommend, if
13 somebody wants to recommend that we try some earlier ones as part
14 of the communications plan and revisit it, I don't know exactly
15 how that would work.

16 But what we would be concerned about is having to come
17 back for a change of, of condition. We may never stay open 'til
18 9 o'clock, but we also know that there's demand for some our, our
19 clients. And we want to offer this up to the HOA's as a
20 community space to hold their meetings as well.

21 ZONING EXAMINER: Well, another option - and I'm, I'm
22 not as worried about the enforceability as, of course, as you
23 are. I mean I think I get a feeling that CODAC is gonna be true
24 to their word in a Neighborhood Communications Plan regardless of

1 the standing of the neighborhood association, the official
2 standing.

3 And, of course, a neighborhood association does have
4 some sway, even if it doesn't have the legal standing for
5 enforceability of a contract. This is where my question earlier
6 about group or peer groups meeting in the evening might be
7 applicable.

8 I, I don't want to second guess the operations at
9 CODAC, but knowing how many groups might be meeting after 8
10 o'clock might be helpful, 'cause if it's just the few individuals
11 who are attending, or there's just a few individuals coming in
12 for individual client services, that might be different than a
13 group of 20 coming out at 9 o'clock. And maybe somebody could
14 speak to that.

15 MR. RANEY: Good evening. I'm Dennis Raney. I'm
16 President CEO of CODAC Behavioral Health Services. And to answer
17 your question, it's my sense, and - but to, to be truthful and
18 honest and forthright with you, it's not anything that we've
19 discussed about what might take place between 8 and 9 o'clock at
20 night. It's my sense, though, and I'll stake 39 years of
21 behavioral health experience on this is that those late hours are
22 generally individual types of sessions.

23 We - the groups that we currently operate now, again,
24 our, our normal operating hours are 'til 5 o'clock. And so many

1 of those groups that we offer are during the day. And the
2 evening hours are really intended for individuals who can't make
3 appointments during the day, 8:00, 8:00 to 5:00. It's really
4 designed for individuals who are working, who it's convenient
5 maybe on their way home to go to a therapy session or sometime
6 after dinner and that. So that's really the intent.

7 But, but to stand here and tell you that we've put that
8 in concrete and we've really figured that out, we have not. But,
9 but again, I'm, I'm just talking from experience that a lot of
10 those after hours are individual session.

11 ZONING EXAMINER: Let me ask you this, and I'm gonna
12 try to slog through some of the individual points that, that I
13 think Mr. Kaplan and Ms. Eure, Eure - am I saying that correctly?
14 Eure.

15 MS. Eure: Eure.

16 ZONING EXAMINER: And Mr. Carlson brought up. So I
17 want to take them one at a time. But perhaps if the condition is
18 that operating hours are until 9:00 but all group sessions would
19 end by 8:00, and individual sessions could go on 'til 9:00, or
20 individual client contact could go on 'til 9:00. And then if you
21 needed and felt it necessary, could come back for an amendment of
22 that condition. And at that point, there might be more buy-in on
23 that from neighbors. I, I'm just throwing that out there as a
24 possibility and maybe, Ms. Sylvan, you want to speak to that or -

1 MR. RANEY: Yeah. I think as a condition, that, that
2 would be acceptable.

3 ZONING EXAMINER: Mr. Kaplan? Where is Mr. Kaplan?
4 You're particularly concerned about people after 8 o'clock
5 parking on that west side of the property and disturbing your
6 mother and aunts who would be adjacent to that.

7 MR. KAPLAN: (Inaudible)

8 ZONING EXAMINER: Oh, I'm gonna - I'll try to get to
9 some of the other ones, and I'm gonna wrap the parking concern at
10 that point, too. You could say there's a possibility of
11 developing in that plan some aspect of parking after 8 o'clock
12 towards the, the front of the building. I, I'm just throwing
13 that out there as well. But I'm trying to address your concerns
14 particularly on that issue. Does that - you can come up if you
15 need to.

16 MR. KAPLAN: You know, any way that we can address the
17 concerns. I mean, like I was saying, if, if it does get rezoned,
18 you know, anything we can do to mitigate the impact to the
19 residential property there will be appreciated. I mean without
20 all of the other concerns, I don't know that I could honestly
21 agree to one, if that's what you're asking me to do.

22 ZONING EXAMINER: I'm gonna try to get through the
23 other concerns as well.

24 MR. KAPLAN: Okay.

1 ZONING EXAMINER: So let's just tentatively say that
2 that's -

3 MR. KAPLAN: Reasonable.

4 ZONING EXAMINER: That's, that's if you would feel that
5 would help mitigate any intrusion into the residential - your,
6 your parcel.

7 MR. KAPLAN: That would help, yes, sir.

8 ZONING EXAMINER: Okay. 'Cause we still have to
9 address the wall and the drainage, those things. All right.

10 MR. HUNT: (Inaudible)

11 ZONING EXAMINER: Absolutely.

12 MR. HUNT: Okay. So I guess that was number one.
13 Number two, the Officer Hardesty Memorial as mentioned
14 previously, we did send a memo to Carolyn Laurie regarding that
15 memorial, showing its location and that, in fact, it would be
16 preserved in place. So I guess we can continue making that
17 promise to you that that's something, something you have to worry
18 about being removed (sic). Okay.

19 Number three, light pollution. So the City of Tucson
20 has a Outdoor Lighting Code. And the intent of the outdoor
21 lighting code is to protect adjacent neighbors from exactly the
22 things you're referring to. So we would adhere to the Outdoor
23 Lighting Code, as to be expected.

24 In addition to that, the lighting for the adjacent

1 parking would be limited to, to two poles kind of in the center
2 of that landscaped island over here. Let me grab my, my label.
3 And so as you could see, that would be a significant distance
4 away from the west property line. It would be enough light to
5 provide safe and secure situations for those using that parking
6 lot after hours.

7 Okay. Technology's great. However, it's gonna be far
8 enough away and at a low enough height that you're not gonna get
9 light pollution that's going directly into those homes. The type
10 of bulbs that are gonna be used and the downward lighting that's
11 associated with the Tucson Outdoor Lighting Code, as it's been
12 amended multiple times, is, is more favorable.

13 ZONING EXAMINER: Okay. And that, that code has been -
14 is, is more stringent than the lighting code that was in effect
15 at the time of the original construction of the (inaudible)

16 MR. HUNT: Correct. Thank you for pointing that out,
17 sir. That's - the lighting code gets updated rather regularly.
18 I know their architect, Mr. Evan Eglund. He's got experience
19 with that being - with building lighting and the types of lights
20 that's are gonna placed on the outside of your building with
21 sustainable design in mind, and also energy efficiency, you
22 consistently have improvements in outdoor lighting.

23 ZONING EXAMINER: So, are those outdoor lights that are
24 going to be placed there modifiable to any extent once they're

1 up, can their angle will be shifted if there's some complaint
2 about (tape skips)

3 MR. HUNT: So typically, the outdoor lighting has a can
4 that has surrounding on all four sides. I think we're all
5 familiar with what they look like. What really helps dictate is
6 not so much the angle, it's the height and it's the recess of the
7 bulb into the can. And that's kind of basic lighting. If you
8 put your hands around a lightbulb, you're gonna direct that light
9 in one direction.

10 So the idea is that you would do a photometric design.
11 You would analyze the parking, and you would see essentially what
12 the lumen level, which in a very basic sense, is the brightness
13 at the edges of the property.

14 And so we would be required to prove, not just state,
15 but prove that we weren't gonna have light pollution, I think in
16 the level that's being referenced by Mr. Kaplan. Hopefully that
17 helps explain that issue.

18 As far as the chainlink fence, by all means that can be
19 returned to you. I don't - we have no issue with that. Security
20 fence during construction, that's to be assumed. So we want to
21 prevent any sort of breach in security during construction, not
22 just for the neighbors, but also for ourselves. It's a liability
23 issue and we don't want to lose the things that we bring on-site
24 to build the job. We'd like them to be eventually put into the

1 building. So that one, we certainly will have fence for you.

2 As far as the drainage openings, I saved that one for
3 last only because I think it requires maybe the - a more intense
4 discussion. What's going on is, is Navajo Road, along with other
5 roads in, in the city, when we planned our city, we built washes
6 out of roads.

7 So anybody that's been to Grant and Alvernon, that's
8 driven on Country Club, or even neighbors on Navajo, those are
9 actually washes. I know it doesn't seem that way, 'cause it's
10 paved, but if you go down to, say, the Food City that's to the
11 west, you can kind of see how the entrances are done to prevent
12 water from getting inside those buildings.

13 So I can certainly understand your concerns. What I
14 want to assure you is that the City of Tucson's Engineering
15 Department and Flood Plain Management have strict rules against
16 how much water we can actually put off our site and direct onto
17 adjacent property owners. The reason being that they want to
18 protect all the things that you basically are implying by your
19 statement.

20 We are limiting the amount of water that's gonna be
21 directed on that site to what's in the existing condition. So
22 right, wrong or indifferent, Navajo Wash, being that it's that
23 flood plain wash, there is a certain amount of water that's
24 passed from property owner to property owner through, say, back

1 yards or ingress/egress points. And we can limit that to the
2 extent possible, but we'll make sure that that's per code.

3 Our drainage basin, or collection of the majority of
4 our water is really in the center islands for promoting landscape
5 har- -- water harvesting. So we're gonna trap the majority of
6 our water actually on-site. And then to the south of the new
7 parking lot. And that's to promote landscape growth. That's
8 another zoning condition having to do with landscape. And I
9 won't go into that right now.

10 But the idea is to, to keep as much water on-site so
11 you have your plants use it in a passive manner, right? Prevent
12 irrigation. So hopefully that goes at least one step in the
13 right direction to help you explain what that rip-wrap is doing
14 there to prevent erosion for the little bits of water that are
15 gonna be directed off-site.

16 ZONING EXAMINER: And Mr. Hunt, just to clarify for me,
17 the grading of the parking lot is angled towards the collection
18 points in the center, and to the south where the landscape areas
19 are.

20 MR. HUNT: Yeah. All sites are forced to resign to the
21 100-year flood storm condition. So the one percent chance annual
22 flood, that was something that FEMA passed long before I decided
23 to become an engineer. But regardless, that's basically every
24 site is gonna have some overflow, to an extent. You could

1 imagine anybody that was here in '83, there's a lot of storms,
2 but when the big one hits, it's a lot of water.

3 And so you have to mitigate that to the extent
4 possible. So there is gonna be some overflow, if you consider
5 that 100-year storm. But your general storm conditions, your few
6 times a year, your every two years, or even a large storm that
7 happens once maybe every five years, we get a long rain. Those
8 are the types of things we're trying to keep on-site.

9 So we have a requirement for a five-year retention
10 volume. So what that means is that all the storm water generated
11 in the worst possible storm over a five-year period, is actually
12 gonna be kept on-site. Does that make sense?

13 ZONING EXAMINER: What, what's the, the current slope
14 of the site?

15 MR. HUNT: Currently the site's actually relatively
16 flat. It's about a half a percent from the east to the west.
17 In the new condition, we're going to maintain that in the
18 existing property. But in the new property, we're actually
19 gonna drop that parking lot down so that we're not impacting the
20 flood plain. And that - part of that has to do with lessening
21 the impact of the Navajo Wash on our adjacent neighbors.

22 If you could imagine a rock in a riverbed, when you add
23 a rock to a riverbed, it forces the water kind of up and around
24 that rock. If we were to build up our parking lot, it would

1 cause that similar effect. Hopefully you follow that example -

2 ZONING EXAMINER: Uh-huh.

3 MR. HUNT: - in a much more complicated manner, but
4 really that's the idea. So we bring the parking lot down, and we
5 create a more favorable environment should one day that 100-year
6 storm comes through. And just so I'm clear, the 100-year storm
7 for Navajo Wash stretches almost halfway through our property to
8 in the middle of the Cobblestone Court location.

9 So, essentially every single home along Navajo Wash
10 that is north of the Cobblestone Court property could be affected
11 by that Navajo Wash, right? So I think it's a matter of us all
12 working together on future development and making sure that that
13 impact is lessened. Okay?

14 ZONING EXAMINER: Do you know if the standards on that
15 have changed since the student housing project (inaudible)

16 MR. HUNT: No. Those standards have remained the same
17 since -

18 ZONING EXAMINER: Okay.

19 MR. HUNT: - the student housing project, relative to
20 drainage and flood plain management only.

21 ZONING EXAMINER: Okay. So it is being - the site's
22 gonna be depressed even more than (inaudible)

23 MR. HUNT: As you can imagine, during the current
24 abandoned student housing project that that site was not tied to

1 our site in any way. You didn't have to travel from the student
2 housing site to the Cobblestone Court location. So they were
3 able to keep their site low for all the reasons in which you
4 don't have cross access.

5 It's more complicated when our parking lot is connected
6 to one another. So we had to make rather sharp transitions from
7 the existing site down into the parking lot, but we have done
8 that.

9 ZONING EXAMINER: Okay. Please continue.

10 MR. HUNT: Okay. The other one I believe that was
11 mentioned by Mr. Kaplan, but also by Olivia was the traffic. So
12 in our design report, we provided traffic analysis on, I'm gonna
13 call it a 5,000-foot level. It's not a traffic impact statement
14 or traffic impact analysis. But we did mention trips generated
15 (inaudible) trips per day.

16 Reading just straight out of my design here is that the
17 trip generated by gross floor area during the weekday and peak
18 hour is 3.62 trips per 1,000 square feet. And that's read right
19 out of the 7th edition of the IT Trip Generation manual. And
20 that results in a total trip generation in the peak hour of 70
21 trips.

22 Now I think it needs to be mentioned that trips include
23 coming and going. So 66% of those trips are coming to the site,
24 and 34% would be exiting. And that would be, like I said, in

1 the, in the A.M. peak hour. In the P.M. peak hour, we have a
2 similar condition that it would be approximately 85 trips in the
3 P.M. peak hour. So -

4 ZONING EXAMINER: The P.M. peak?

5 MR. HUNT: P.M. peak hour. I don't want to make any
6 derogatory statements. I do just want to understand where the
7 600 trips may be coming from or, or where that number may have
8 been generated. Is that something that's available from Staff?

9 ZONING EXAMINER: I, I recall seeing that number.

10 MR. HUNT: Okay.

11 ZONING EXAMINER: Yes.

12 MS. SYLVAN: Mr. Kafka, that number actually came from
13 PAG, and they comment on each of our rezoning cases.

14 MR. HUNT: Great. Thank you. So that provides, that
15 provides some additional clarity just to understand where that
16 number was coming from. So 600 parking spaces (sic), that's
17 basically how the trip generation manual would work, or how PAG
18 is gonna analyze this is over the entire course of a day.

19 To keep it in perspective, the I-10 is about 145,000
20 trips per day. And so 600 trips may sound like a high number,
21 and it certainly does. But the number of trips spread out over
22 the entire day is actually not that many.

23 We have 108 parking spaces, so that means that if
24 everyone got together and came only six times a day, we could

1 still accommodate everyone at once. And I think that's an
2 argument only to be made because generally speaking, that's not
3 gonna happen, but at least, that goes to show that we're gonna
4 have approximately 100 parking spaces in the final design.

5 Granted, some of those are gonna be dedicated to
6 employee parking. I think that's worth noting in the sake of
7 being transparent.

8 I'll go on to - this is your second comment that you
9 had. I believe that was hours of operation, and we've discussed
10 that already, is that correct?

11 MR. KAPLAN: (Inaudible)

12 MR. HUNT: Would you be able to restate that comment?
13 I've got it here. I believe that the second was hours of
14 operation. Is that correct?

15 ZONING EXAMINER: Let me just, let me try to avoid off-
16 mike conversations so that we can get the record of it. Mr.
17 Kaplan had -

18 MR. HUNT: Yeah.

19 ZONING EXAMINER: - stated that his other concern was
20 about security, and I think you're trying to clarify precisely
21 what about security (inaudible)

22 MR. HUNT: Correct. Yes. Could you clarify what -

23 ZONING EXAMINER: So -

24 MR. HUNT: - about security?

1 ZONING EXAMINER: - Mr. Kaplan, if you could just come
2 up so we can get it on the microphone. You can both stand up
3 there.

4 MR. KAPLAN: (Inaudible)

5 ZONING EXAMINER: Okay. I don't think anybody's gonna
6 come to blows.

7 MR. KAPLAN: I was gonna say, I don't dislike him.
8 Think he does a great job. But I think where I was at was, you
9 know, I think I had - was looking at it by if you have, you know,
10 your 604 vehicles entering there a day right next to residential
11 property. That was just 600 more times than it has right now of
12 there being an issue with security.

13 And I'm not saying anything about the, the people that
14 come to the clinic. I'm just saying if it was any kind of a
15 business, it does create an issue. And, and do I have any
16 statistics? No. And is common sense relevant (sic), or
17 relative, I should say. You know, just in my mind, it, it does
18 cause some type of a risk.

19 You've got multiple people coming to a bus stop that
20 right now I don't believe exists there. You've got, you know,
21 people coming (inaudible) a sidewalk. They're gonna be walking
22 by the place that right now don't walk by the place.

23 And it's just concerning. And, and that's where I was
24 headed. And, and I don't know that, you know, like I said, I

1 don't have any statistics to, to say that that's gonna cause the
2 place to be robbed or, or something to happen. But it, in my
3 mind, it just creates a, you know, the more people that walk by,
4 the more problems you could possibly have.

5 ZONING EXAMINER: All right. Thank you. And I think
6 one of the jobs of Mr. Hunt is to make sure that the proposal
7 mitigates any undue intrusion into the residential neighborhood.
8 But I think one of the things we have to bear in mind that's
9 unusual in this is the - what the trip generation and what the
10 intensity of use would be if the building were being used as it's
11 allowed to be used right now.

12 So rather than from the zero point, if that makes
13 sense. I think that, that's what we have to keep in our minds.
14 So if you could continue there.

15 MR. HUNT: Thank you, sir. Security's gonna be a
16 concern in any operation, so I think that is - we take that into
17 consideration. The additional steps we've mentioned tonight that
18 we're taking to insure the safety and security of our patients
19 is, is obviously paramount.

20 I think I'd like to move on to Mr. Mike Carlson's
21 comments at this point, if that's okay. So we've had
22 conversations with Mr. Carlson throughout the process. My
23 initial meeting with Mr. Carlson or my initial experience with,
24 with discussing any issues were at the original neighborhood

1 meeting. We were presented with a letter that was put into our
2 file, and I believe is a part of the official record that was
3 from October, is that correct? Could I get verification verbally
4 from Staff?

5 MS. LAURIE: Yes, that is correct.

6 MR. HUNT: Thank you. So in that letter, it had
7 mentioned a bus stop, and the potential for relocation or
8 additional security. I had mentioned to Mr. Carlson that I
9 didn't believe it was the ability of either myself, Cypress Civil
10 Development, CODAC, or anyone associated with the rezoning case
11 that we're discussing today. None of us would have the ability
12 to authorize the relocation of the bus stop.

13 I did offer to work with Council Member Uhlich and Mr.
14 Carlson on issues with the bus stop. At that time, I believe he
15 was made aware that we wouldn't be able to address that directly
16 as a part of this rezone. I had again stated that in a further
17 conversation when Mike had voiced frustrations as he voiced
18 tonight about not feeling that that was heard.

19 As far as the individuals coming to the site, I can
20 understand the fear of the unknown, or we discussed that. And
21 we've made the Neighborhood Communication Plans kind of paramount
22 in trying to combat some of that. As far as already been
23 discussed by Carrie, I had it in here that the agreement and
24 legalities of that, I think have already been discussed. And so

1 I believe that concludes the concerns from Mr. Carlson, if he
2 would like to approach.

3 ZONING EXAMINER: Well, I think, why don't we put the
4 rest of the other concerns of Mr. Carlson, which is the methadone
5 concern. And I think you'd already addressed this earlier, but
6 if you could reiterate.

7 MR. HUNT: Well, indirectly, the methadone is listed
8 currently in the neighborhood agreement. And that is where we
9 tried to execute that. We'd also stated that we would be okay,
10 CODAC, okay with having that added as a rezoning condition should
11 the Zoning Examiner choose to do so. And I believe that would
12 hopefully take care of that concern.

13 It's CODAC's commitment to make sure that everyone
14 involved understands that, that we are not bringing methadone
15 treatment to the new location. And we've stated that from fairly
16 early on. Following that initial meeting, we had that was made
17 very clear that we were gonna have to work with the neighbors on
18 some issues.

19 ZONING EXAMINER: And that's, that's clear to me. The
20 - where is the bus stop on the north side? Is that the - okay.

21 MR. HUNT: Thank you.

22 ZONING EXAMINER: I see it. All right.

23 MR. HUNT: So -

24 ZONING EXAMINER: Thank you. And that's - as I

1 understood Mr. Carlson's remarks, and I'm gonna allow him to
2 speak for himself, but he's also concerned about the trash that's
3 generated at the bus stops.

4 MR. CARLSON: (Inaudible)

5 ZONING EXAMINER: Hold on one second 'til you get to
6 the microphone.

7 MR. CARLSON: Basically right now, I operate a business
8 there and I have a rental business. It's 1,000 East Fort Lowell.
9 The bus stop is directly in front of it. They do have an office
10 there and professional people. I have an office and professional
11 people, that's how I make my livelihood and pay my taxes and
12 everything else.

13 We don't have any problems right now. We've had
14 problems with theft, and every now and then we get a drifter in
15 there, and we've had to escort two people out of our building.
16 We have called the police, but it takes so long for them to
17 respond to anything that I cannot rely on the police.

18 And I don't have any problems now, and I'm not looking
19 for any new ones. I don't have any time to spend dealing with
20 any issues at the bus stop. The reason I'm saying that I didn't
21 get a response, I wrote a letter. I did not receive a written
22 response with the proper answers, or any other response.

23 ZONING EXAMINER: This is the October 3rd letter?

24 MR. CARLSON: Yes. And I gave one to the Mayor, or

1 her (sic) assistant, they gave one to Jeff, but I've never - they
2 just said, "Well, we're not gonna be able to do anything with
3 that." But we didn't get any written response or anything, and
4 that's why I was here to speak again.

5 ZONING EXAMINER: Okay. Thank you.

6 MR. CARLSON: And as far as the methadone goes, I'd
7 still like a written contract that says that there's not gonna be
8 any methadone there. We don't know how long it's gonna take to
9 get rid of that methadone clinic on First Avenue. It could be
10 ten years. I'm thinking the people are gonna leave that clinic
11 and walk up through the back streets in the neighborhood to go to
12 the clinic. That's another concern.

13 If I have clients coming to my office, and they're
14 confronted by mental patients, or something of that issue, it
15 could jeopardize my business, which would jeopardize my family
16 and my livelihood.

17 ZONING EXAMINER: If it's put in as a condition of
18 rezoning that it's not - that methadone will not be used at this
19 location, that is a condition that remains in place for the
20 entirety of the use, and could not be changed unless they came in
21 with an amendment for that. It's not proposed right now, but as
22 I understand it, the Applicant's amenable to putting that in as a
23 condition.

24 MR. CARLSON: Yes. I believe so.

1 ZONING EXAMINER: So -

2 MR. CARLSON: I, I saw that listed on the condition
3 list.

4 ZONING EXAMINER: All right.

5 MR. CARLSON: And again, I'm not saying - I don't - I'm
6 not saying that you can move the bus stop or anything. I'm just
7 saying that I cannot - I don't have time to deal with issues if
8 they happened. And I cannot be jeopardized by that. That's only
9 my concern.

10 Again, I'm not against the clinic and what they do for
11 people. I think that's great. I just want to make it clear that
12 those are my concerns, and if there's problems, I will bring them
13 back to the table.

14 ZONING EXAMINER: Okay. Thank you. I, I hope that
15 you've been able to satisfactorily speak to the issues in this
16 letter. I, I've only seen this as part of the application, but
17 I'm listening to what you have to say. So I just want you to
18 know that it's in my file, I've read it, I'm considering it as I
19 go through this.

20 MR. CARLSON: Thank you.

21 ZONING EXAMINER: Sure. Thank you, sir. All right.
22 Do we have - we have some other issues that I think were listed
23 there?

24 MR. HUNT: I think at this time, I would just like to

1 ask you, Mr. Zoning Examiner, if there's anything else that you
2 need to have clarified?

3 ZONING EXAMINER: That may take a pause for a few
4 seconds while I -

5 MR. HUNT: Please. While you're considering that, I
6 think it's worth mentioning, Carrie has reminded me about the
7 statement by Mr. Kaplan regarding the wall, and what its
8 construction material would be. In fact, it is a rezoning
9 condition, this project, that it be a six-inch minimum thickness
10 masonry wall, and that it be six feet in height. So that will be
11 maintained for this project.

12 ZONING EXAMINER: Is the property, the Kaplan property
13 higher than the level that the wall will be built on?

14 MR. HUNT: Everything is decreasing in elevation as you
15 go west. So anything west of our property, -

16 ZONING EXAMINER: So (inaudible)

17 MR. HUNT: (Inaudible) should be lower than our -

18 ZONING EXAMINER: So effectively, it'll be higher than
19 six feet on -

20 MR. HUNT: That is -

21 ZONING EXAMINER: - the Kaplan side of the property?

22 MR. HUNT: You would be safe to assume that.

23 ZONING EXAMINER: Okay. I'm, I'm - I don't like
24 assuming, but I'm gonna hazard a guess that that's what will

1 happen.

2 MR. HUNT: Sure.

3 ZONING EXAMINER: Okay.

4 MR. HUNT: I would agree with that.

5 ZONING EXAMINER: And it will be landscaped.

6 MR. HUNT: Yes, sir. We're gonna have landscaping on
7 our property.

8 ZONING EXAMINER: The reason I asked about the smoking
9 was the area on the north boundary, right parking area next to
10 the trash enclosure. The other side of that wall is a playground
11 for some apartments. So naturally, I was a little concerned that
12 there might be a smoking break area for employees there.

13 Will that be signed as a no - I know you said 25 feet
14 there's no smoking, but of course the designated smoking area is
15 within 25 feet. So will there be additional signage at that
16 location that there's no smoking there?

17 MR. HUNT: We discussed this issue at length with
18 Staff, and we understand that we will have a limitation for no
19 smoking on the north side of our building. If signage is to be
20 added, and that would be requested from this - from yourself, Mr.
21 Zoning Examiner, then I don't see any reason why CODAC could not
22 agree to placing signage along that north wall.

23 ZONING EXAMINER: Ms. Eure, I think we talked a lot
24 about Mr. Kaplan's concerns, and I think they overlapped a bit,

1 and that you recognized they overlapped a bit, but was there
2 anything specific that we haven't talked about as Mr. Hunt and I
3 have been talking back and forth that, that you're still
4 concerned about? And I hate to put you on the spot.

5 MS. EURE: Thank you. I - it's, it's hard to know just
6 the right way to say this, but you know, there's that, "Not in my
7 back yard," kind of thing that goes on that I think everybody -
8 nobody really wants to have this kind of thing in their back
9 yard. And for us, it's, it's, you know, Mr. Goodman built that,
10 that monstrosity looking directly down into our yard, and so the
11 parking lot seems like a very much better alternative. But it I
12 had my druthers, it would just stay residential, you know.

13 And I, and I do wonder - I don't know if this is the
14 place to say this, but I, but I need to ask, how can it be that
15 an R-2 zoning has a big, a big thing like that built looking
16 right into somebody's yard? And of course this is -

17 ZONING EXAMINER: The existing one?

18 MS. EURE: Yes.

19 ZONING EXAMINER: Oh, you're allowed to say anything
20 you want here. My understanding is that was built to expressly
21 the letter of the code, and pushing the code to - not that this
22 is the right forum to address that, but that's my understanding
23 is those are compliant with the code, but currently now, not
24 compliant with a - is it an MOU that's - or just a new code

1 revision? Mr. Moyer, you might be able to express this better
2 than I can.

3 MR. MOYER: Well, I think the safe way would be to say
4 that as an unoccupied structure, it was built to the code. It's
5 the operation that is the subject of the MOU. So this one
6 wouldn't, wouldn't be subject to that. But it is compliance with
7 the code that was in place at the time it was built.

8 MS. EURE: For R-2 zoning you can, you can put
9 something that'll house many.

10 MR. MOYER: And, and I wouldn't be sure that they
11 actually maximized the site. They probably came close, so -

12 MS. EURE: Well, sorry. I, I couldn't understand what
13 you said.

14 MR. MOYER: I'd say they probably didn't actually
15 maximize the site, what the code would allow, but they did
16 probably come close.

17 MS. EURE: Uh-huh. Okay. And, sorry, that didn't -

18 ZONING EXAMINER: That's okay.

19 MS. EURE: (Inaudible) have anything to do with -

20 ZONING EXAMINER: That's all right.

21 MS. EURE: - our discussion tonight.

22 ZONING EXAMINER: It doesn't but, you know, this is an
23 opportunity for you to ask and -

24 MS. EURE: Yeah.

1 ZONING EXAMINER: - if we can answer the question, then
2 - without too much delay, then why not?

3 MS. EURE: Thank you very much.

4 ZONING EXAMINER: All right. Does anybody have
5 anything else they'd like to add? Mr. Kaplan, sure.

6 MR. KAPLAN: Thank you. You know, I guess one of the
7 things that just keeps jumping back at me is, is, of course, I'm
8 not going to try to recite City code on, on this parking
9 structure because I think I have an idea, but on the - I don't
10 know for sure.

11 But what's really bugging me is, is that if, if, if we
12 go ahead and let drainage from a parking lot, where we know it's
13 paved, and I know that they have some features to, to hold the
14 water, but I think I understood that you'll let as much go across
15 as what already goes across.

16 And I'm not gonna argue that point. If that's true,
17 then there would never be a problem because there hasn't been a
18 problem in 80 years or whatever it is we've owned the property.
19 But I'm a little concerned that, you know, how we have our, our
20 monsoons, and it rains - sometimes we'll get, you know, four
21 inches in 30 seconds, you know, or a minute or whatever it is.

22 But we get one of those big rains, and then all of
23 sudden, I've got a washed out area going across that back lot, I,
24 I would, you know, it probably wouldn't be a very pleasant

1 conversation. And I just want to make sure that that doesn't
2 happen. I would rather have, you know, I know that that lot
3 could be graded so that you could drain to the front, go into
4 your retention basin, and not have anything going into that
5 property, and it would make me sleep better at night. But, you
6 know, I mean that, to me, that's a, a huge concern.

7 ZONING EXAMINER: I'm gonna let Mr. Hunt speak to that
8 a little bit more.

9 MR. KAPLAN: Sure.

10 MR. HUNT: So I guess in order, the first thing would
11 be the five-year threshold retention volume. That means that the
12 amount of water that would fall on your site in the five-year
13 storm which would be out of five years, the worst storm you could
14 have, is required to be retained, and that volume is retained on-
15 site. So it wouldn't necessarily be (inaudible) would
16 necessarily be the - an increase because of a monsoon, or
17 something that happens, you would be retaining it on-site.

18 To the comment on where we could direct it, anything is
19 possible. You can grade and drain and do a lot of amazing
20 things. What happens is that City of Tucson Flood Plain
21 Management Code requires that I outlet flow, water flow in the
22 same locations that it outlet in the original design. So in the
23 existing condition.

24 So not only does code state that I am allowed to

1 discharge to the same location the same amount, it actually
2 requires that I discharge to the same location the same amount.
3 So by redirecting water to the south, and thus pushing everything
4 into Fort Lowell right-of-way ultimately, I would be violating
5 City of Tucson code. That's not to make a statement on right or
6 wrong, it's simply to clarify the design for Mr. Kaplan.

7 ZONING EXAMINER: All right. Thank you. Anybody else?
8 All right. Yes.

9 MR. HUNT: So I guess once again, if you have anything
10 else you would like to clarify, please do so.

11 ZONING EXAMINER: Actually, what I'd like to perhaps
12 talk a little bit more about is the Neighborhood Communication
13 Plan and maybe Ms. Sylvan would like to address that. I think I
14 already, in my perhaps insufficient way, expressed my trust that
15 the NCP would be abided by despite some difficulty in the, what
16 I'm calling the standing of the neighborhood association. But
17 perhaps you can give me some more comment about your either
18 concerns or your opinion on that.

19 MS. SYLVAN: Well, I'm not, I'm not sure. I just
20 wanted to make sure you knew this, this looks different than when
21 we appear, when I appeared before you, before when we have fully
22 executed neighborhood agreements. And I just wanted to make sure
23 that there was an understanding by one of the things we worked
24 with Staff on was insuring that it was something that would be on

1 file with the City and is acknowledged as part of the, of the
2 rezoning process so that there was, there's a connection to the
3 rezoning and not just this communications plan sitting, sitting
4 out there.

5 So I, I tend to agree with your, your analysis which is
6 that it's a communications plan. CODAC has already demonstrated
7 a level of integrity, and when they put things in writing,
8 they're gonna, they're gonna stand by them, and they have a -
9 they enjoy a great relationship with the Council Offices and the
10 other elected officials, which I believe will continue.

11 And there are a lot of times other pressures that come
12 to bear when people don't stand by their word. And I believe
13 sometime that those are more important than the legality of an
14 agreement.

15 ZONING EXAMINER: That was better said than I said it
16 before. And I'm trying to find here where the - oh, here it is.
17 It's Condition 10. Approved Neighborhood Communication Plan
18 which names direct contact and addresses neighborhood
19 communication outreach. I guess it's really just a Neighborhood
20 Communication Plan.

21 MS. SYLVAN: And we did add other things.

22 ZONING EXAMINER: You have?

23 MS. SYLVAN: Yes, we did. I mean, no, we haven't
24 (inaudible)

1 ZONING EXAMINER: Oh, this is added, added into the -

2 MS. SYLVAN: And since what I think most people would
3 think of as a communications plan, there's - that's where the no
4 methadone -

5 ZONING EXAMINER: Would you have suggested language for
6 that condition that would allow the opportunity for some
7 amendment by consensus?

8 MS. SYLVAN: I think I would actually prefer to have in
9 the community take direction -

10 ZONING EXAMINER: In the, in the plan itself.

11 MS SYLVAN: - that put it in the communications plan
12 itself so that the document stands alone as to how it gets
13 amended. And then from the City perspective it will be, it will
14 be on file there. That would be my preference, and I, I, I have
15 received the direction, and I'm in charge of the communication
16 plan.

17 If there's - if we want to add some language in
18 Condition No. 10 that acknowledges that the, that the - it
19 already asks that it name a direct contact and addresses the
20 neighborhood communication and outreach and provides a provision
21 for amendment.

22 ZONING EXAMINER: Well, it already suggests some sort
23 of consensus based process when it refers to approval. I don't
24 know if it needs to be more direct (inaudible)

1 MS. SYLVAN: We actually amended the January 10th
2 conditions.

3 ZONING EXAMINER: Ah.

4 MS. SYLVAN: We had that discussion actually with Staff
5 about -

6 ZONING EXAMINER: I'm gonna steal Mr. Moyer's red line
7 copy here.

8 MS. SYLVAN: It now reads, "A Neighborhood
9 Communication Plan will be on file with Planning & Development
10 Services which names a direct contact and addresses -"

11 ZONING EXAMINER: Okay.

12 MS. SYLVAN: "- communications and outreach."

13 ZONING EXAMINER: All right. Then that's fine. If 9
14 is amended to address the concerns about groups gathering after
15 8 o'clock, that's amenable to the Applicant?

16 MS. SYLVAN: Yes, it is.

17 ZONING EXAMINER: Okay. And you're amenable to a
18 condition stating that there will be no methadone (inaudible)

19 MS. SYLVAN: Yes, we are.

20 ZONING EXAMINER: Mr. Hunt, am I forgetting anything?

21 MR. HUNT: Sir, I think I would defer to you as far as
22 (inaudible)

23 ZONING EXAMINER: I have to rely on everybody in the
24 room. I believe that, that - believe that addresses most of the

1 issues that have been discussed. Does anybody want to say
2 anything else?

3 MS. SYLVAN: We ask you recommend approval.

4 MS. HALL: I thought that went without saying. How
5 many of your clients use public transportation, a percentage?

6 MR. HUNT: We may have a statistic for that, but I'll
7 present Christine Hall back.

8 ZONING EXAMINER: Okay.

9 MS. HALL: We've been asked this question before, and
10 we approached doing some research on it with our clientele, and
11 it's very difficult, quite honestly. What I can tell you is that
12 while we don't have a percentage of the folks who use public
13 transportation, we do know that a large percentage of
14 individuals, and if you give me a minute, I can get you the
15 statistic, are transported to the facility by CODAC staff.

16 CODAC has a Transportation Department, and actually at
17 our, our very first meeting with the neighborhoods, one of the
18 requests was that CODAC shuttle people to and from appointments.
19 While, in fact, our Transportation Department does serve to do
20 that for folks who either cannot ride the bus, do not have their
21 own transportation, do not have a family or friend mem- -- family
22 or friend who can bring them.

23 And so I do have statistics on that percentage. Give
24 me a moment. Over a three-month average, roughly half of the

1 appointments were transported using CODAC's Transportation
2 Department. And our transportation specialists actually escort
3 the member from the vehicle into the facility and facilitate a
4 warm handoff to another CODAC staff member. I'm sorry that I
5 don't have more specifics for bus transportation.

6 ZONING EXAMINER: Well, no. Thank you. That's
7 helpful. So half or more of the appointments were handled by
8 CODAC transportation, so -

9 MS. HALL: For the - for our current First Avenue
10 location.

11 ZONING EXAMINER: For that location.

12 MS. HALL: Which will be moving to this location.

13 ZONING EXAMINER: Okay.

14 MS. HALL: Yeah.

15 ZONING EXAMINER: Okay. Thank you very much. Anyone
16 else? Anything else? Okay. Well, I want to thank everybody for
17 coming out this evening, staying so late to give me your
18 testimony and provide information.

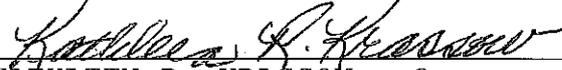
19 Some of these are difficult issues, but I, I do sense
20 and trust that people are listening, and are able to communicate
21 with each other their concerns. So thank you again.

22 With that, I'm going to close Case No. C9-13-12, CODAC
23 Fort Lowell, R-2 to P Zoning. Thank you again, and drive safely
24 everybody.

25 (Case No. C9-13-12 was concluded.)

I hereby certify that, to the best of my ability, the foregoing is a true and accurate transcription of the original tape recorded conversation in the case referenced on page 1 above.

Transcription Completed: 01/24/14



KATHLEEN R. KRASSOW - Owner
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